

CIVIL RIGHTS STRUGGLE SHIFTS POLITICAL LINES

Times P. 3 E
Western Democrats and Liberal
Southerners Are Drawn Together

New York N.Y.
In a New Voting Alignment
OLD COALITION WEAKENED

By WILLIAM S. WHITE

WASHINGTON, Aug. 10—The nearest thing to a firm estimate of political gain and loss yet possible in the great Congressional struggle over civil rights concerns the long-term power equation in Congress itself.

Political ultra-conservatism in both parties and in both chambers, though particularly in the Senate, has suffered heavy blows. The traumas will extend far beyond the civil rights issue.

Sum 8-11-57
In the Senate, an informal orthodox Republican-Southern Democratic coalition of some twenty years' standing—a coalition that plagued both the Roosevelt and Truman Administrations on many economic issues and occasionally on social issues—has been deeply shaken.

The *elan vital* has gone out of it, certainly for now and the immediate future and conceivably for good and all. The right-wing Deep Southerners, a hard core of about a dozen Senators, had been able to depend through all these years on their orthodox Republican colleagues not to press to the bitter end the issue of civil rights.

In turn—the phrase “in exchange” would be both too harsh and too overstated a term for the actual facts—these Southerners had stood at many a point of economic crisis with their friends from the “regular” wing of the Republican party.

It was not wholly an association of convenience and expediency; the common causes made between these two groups were nearly always based on conviction and deeply held political ideology. All the same, they were common causes, and formidable ones indeed. The Senate in consequence since about 1938 has been economically “safe” on the whole, whatever the Administration in power at the White House.

Bond Is Broken

This old unspoken bond is broken now, if not irreparably shattered. The right-wing Southerners will not be able to forget—they will not forget—that it was Republicans, and orthodox Republicans at that, who this time largely pressed the civil rights issue to the bitter point of decision.

This does not mean, of course, that right-wing Southerners who have been voting with orthodox Republicans against, say, public power and Federal economic controls, will now necessarily come out for public power and Federal economic controls. It does mean, however, that the surviving remnant of the old alliance between the Southern right and the Republican center-to-right has little heart in it any more.

And the great wounds suffered by the coalition of Southern Rightists and orthodox Republicans have yet another significance for the future. For it appears that as this coalition is losing its old status as the balance of Senate power another

coalition is now rising—one between the Southern liberals and moderates, as typified by Senator Johnson, and the Western Democratic liberals.

A New Coalition

The inherent community of interest here is not so much newly discovered as newly exploited, by Senator Johnson and his Western liberal deputy in the party leadership, Senator Mike Mansfield of Montana, the Democratic whip of the Senate.

The fact that it was Western liberals who stood at critical points with the Southerners to make a compromise civil rights bill is highly significant. The Westerners did not wish to be put in the position of seeming to oppose civil rights—which most of them genuinely support. On the other hand, they were unwilling to let matters go to the point where they would have to say yea or nay to a civil rights bill so “hard” that it could not possibly have been passed without closure. This is the process of halting all debate that requires 64 Senate votes.

As a group representing small states, with little power in the House, they recoil from closure in the Senate as a matter of policy. Their indispensable necessity, in short, was not to have to go to closure on the one hand or to no bill at all on the other hand.

The resulting new association of the West and the comparatively liberal part of the South is formidable; already it is being illustrated almost daily in the greater sympathy being shown by Southern Senators to the major Western problems like power and water.

G. O. P. Retreats

Otherwise, the political balance sheet from the civil rights fight must be, at this point, so botched up with marginal notes and qualifications as to be the next thing to unreadable. It had seemed earlier that the Republicans nationally—that is, in Presidential elections—certainly would be the gainers to some extent, if only because of the Democratic North-South dichotomy on the issue. If, however, the Republicans in the House should insist on anything like a return to the Administration civil rights version approved there, it is all but certain that

there will be no bill at this session.

Some powerful Republicans had thought earlier that such an outcome might be just as well; that the issue could be left over until 1958, a Congressional election year, and exploited by them among the Negroes and other minority groups far more effectively than now.

In the last few days, however, there has been a perceptible, if by no means a total, Republican retreat from this estimate. A statement made public this week by the National Association for the Advancement of Colored People, the Americans for Democratic Action and the powerful labor leader, Walter P. Reuther, clearly signalled that these groups wanted civil rights action now, and not next year.

Shifting Credit

Thus, what earlier had appeared as a small possibility might now be said to approach the status of a small probability. That political credit among the minority groups may now go, to some considerable extent at least, to the conciliatory politicians rather than to the adamant ones. The Senate civil rights bill, however unsatisfactory to these groups, is now privately described as far from worthless.

So it is that the ultimate outcome of the current maneuverings between the Senate and House may largely determine which party and which persons are to get what credit and what blame.

Some of the most realistic professional minds among the Republicans—including minds heretofore devoted to the theory that the all-out civil rights push should be reserved for next year—now incline to the view that it adopted to overcome the shortcomings would be politically dangerous to seem to stalemate the issue.

At all events, no senior political figure in the Republican party in the Senate is now giving comfort to any adamant insistence on the part of the House to insist on substantially the original Administration bill or nothing.

The Rights Bill *Times* Passes Milestone

“On this vote, the yeas are 72, the nays 18; the bill is passed.”

With those words, Vice President Richard M. Nixon recorded on Wednesday evening the historic outcome of the Senate's four-week debate on the civil rights bill. Not since the Reconstruction era eighty-five years ago had the Senate retreated from this estimate. A proved a measure of comparable significance in the civil rights field.

But approval by the Senate did not make the bill a law, for the House had passed a far different and far tougher version. Thus the bill went back to the House for consideration of the changes. Whether the House will accept the changes, or whether the Senate and House will reach a compromise, remain in question. So does the matter of whether the President will approve a bill if one reaches him.

A week ago it appeared that the prospect for enactment of a civil rights bill was dim indeed. But the climate surrounding the bill changed perceptibly during the week, and the prospect now is that the measure, in one form or another, will become a law this year.

Sum 8-11-57 H. R. 6127 Evolves

The bill is H. R. 6127, so designated because it originated in the House. As passed in both the House and the Senate, it contains four parts, but the two versions differ considerably. This is how the four parts stand:

New York N.Y.
Part I would establish, for two years, a bipartisan Commission on Civil Rights. Its task would be to heretofore devoted to the theory that the all-out civil rights push should be reserved for next year—now incline to the view that it adopted to overcome the shortcomings would be politically dangerous to seem to stalemate the issue.

At all events, no senior political figure in the Republican party in the Senate is now giving comfort to any adamant insistence on the part of the House to insist on substantially the original Administration bill or nothing.

Part II would authorize the President to appoint an additional Assistant Attorney General in the Justice Department. The bill does not specify his duties, but the Administration has said he would head

the Department's work in the civil rights field. Senate and House versions of Part II are the same. The effect of Part II would be to step up the prestige and probably the impact of the Department's existing civil rights division.

Part III, in the Senate version, would re-affirm a citizen's prerogative of bringing suit in a Federal court for protection of his right to vote. The Senate removed from Part III a much broader section approved by the House. Under that section, the Attorney General could have brought the power of the Federal Government to bear in the protection of the full sweep of civil rights. By request, or on his own initiative, he could have gone to Federal Court seeking an injunction against actual or threatened infringement of any person's exercise of any of those rights.

The Senate version of Part III has little meaning. Under the House version, the Administration could make a frontal attack on any or all civil rights violations. The Eisenhower Administration had said it might use Part III to enforce the Supreme Court's ruling against segregation in public schools.

Part IV, in both versions, gives the Attorney General power to go to Federal Court seeking an injunction against actual or threatened interference with any citizen's right to vote. Violators could be fined or imprisoned for contempt of court. If the judge treated the case as civil contempt—one in which he sought to force compliance rather than punish failure to comply—he could proceed without a jury. But the Senate wrote into Part IV a requirement that in cases of criminal contempt—which involves punishment for disobedience—the judge must call in a jury.

Both versions of Part IV give the Government power it does not now have to protect the right to vote. The impact of the Senate's stipulation on jury trials is the subject of argument, because nobody knows how many cases of contempt would be criminal contempt. The presumption outside the South is that few if any Southern juries would convict in civil rights cases. A further complication arises from the fact that the Senate extended its stipulation to all cases of criminal contempt—not just those involving voting. The Administration contends that this would have a disruptive effect in such areas as anti-trust proceedings and the enforcement of orders issued by Fed-

eral regulatory agencies. Sponsors of the amendment deny that it would be disruptive.

Southern Strategy

The changes made in the bill by the Senate reflected the new defense strategy adopted this year by Southern Senators. Numbering less than a fourth of the Senate's membership, and confronted with an opposition made more resolute than ever before by the trend of Negro voters to the Republican party and by moral indignation at the plight of the Negro, the Southerners sought to attract the support of moderates by exposing weaknesses in the House bill. They attracted plenty of moderates. The Senate's vote to remove the heart of Part III from the bill was 52 to 38; its vote to require jury trials in criminal contempt cases was 51 to 42.

Future Doubtful

When the last of those changes was adopted ten days ago, many civil rights supporters were of a mind to scuttle the bill. They felt that the Senate had stripped it of all meaning and that the House would never accept a measure so drastically different from the version it had passed. And some Republicans thought there was more political hay to be made by bringing the matter up again next year, when, because of the Congressional election, the Democrats would be less likely to avoid a rupture over civil rights.

Those who felt that the bill should be ditched received some encouragement from President Eisenhower, who issued an unusually angry statement about the Senate's vote on Part IV and left the inference that he would veto the measure if it reached him in the form approved by the Senate. With that possibility in mind, some Democrats sought to have the House accept the Senate version of the bill so that responsibility for the fate of the legislation could be placed on the President.

It was in this atmosphere that the Senate approached last week its final vote on the civil rights bill.

The Climate Changes

It was evident as the week began that a weekend of reflection had produced some second thoughts among those who had considered scuttling the bill. Representative Joseph W. Marshall, Republican of Massachusetts and House minority leader, indicated the trend. After the Senate's vote on Part IV he had declared that "the bill is dead

for the session." But last Tuesday he said that it might get through if it were "materially changed."

Two considerations appeared to be involved in the week-end shift of opinion.

First was the thought that some bill might be better than no bill. Even the Senate version, it was reasoned, represented a significant advance for the Negro. With the Federal Government able to obtain injunctions against interference with his right to vote, and to force those injunctions with civil contempt proceedings in some instances, the Negro in the South might well begin to find the right to vote real instead of nominal. Related to this reasoning was a feeling that the only way to make progress in the explosive field of race relations is one step at a time.

Senator Richard L. Neuberger, Democrat of Oregon and an advanced liberal on the subject of civil rights, typified this feeling by calling the bill "a step in the proper direction, however limited and modest that step may be."

Second was the beginning of doubt among some Republicans about whether the greatest political advantage lay in putting civil rights off until next year. The reasoning in this instance was that the G. O. P. already had gained considerable political capital by standing strongly for a strong bill, and that some of this capital might be lost if the fight were abandoned now for the ostensible reason that the bill was too weak but for the real and recognizable reason of making more political hay next year.

As Senator Jacob K. Javits, Republican of New York, said Tuesday: "I want a bill and not a campaign issue."

Eisenhower's View

President Eisenhower, at a press conference on Wednesday, took what appeared to be a milder line toward the Senate version of the bill. He reaffirmed his dislike for it but declined to say he would veto it and indicated a hope that it might emerge from Congress in a form "that would remove some of those objections."

The shift of opinion toward keeping some sort of bill received an impulse from another direction Wednesday. Sixteen of the organizations that have pressed hardest for a strong civil rights bill issued a statement on the Senate version. It was a "disappointing" version, the statement asserted, but:

The Constitutional right of Negroes to vote is given Congressional recognition for the first time in eighty-seven years, and some new tools are provided

for the enforcement of that right. When the Senate began its final vote at 8:20 P. M. Wednesday, it was evident that the bill was headed for a conveyor belt rather than a guillotine.

On that vote, all the eighteen nays were by Democrats—seven Southerners and Senator Wayne Morse of Oregon, an advanced proponent of civil rights who thought the bill had been emasculated. Five Southern Democrats—Johnson and Yarborough of Texas, Kefauver and Gore of Tennessee, and Smathers of Florida—voted for the bill. So did all forty-three Republicans present and twenty-four non-Southern Democrats.

The bill went to the House on Thursday. Some Republicans there were for sending the measure to a Senate-House conference committee in an effort to put back some of the teeth the Senate had taken out. Many observers thought that would be the end of the bill, for this year at least. The Democratic leadership was for accepting the Senate version with an amendment restricting jury trials to voting cases. The key to which approach would be taken rested with the Rules Committee.

CIVIL RIGHTS BILL

WASHINGTON — The main provisions of the four-part Civil Rights bill currently being debated in the Senate would:

1. Create a bipartisan commission armed with subpoena powers, to investigate sworn complaints that voting rights are being denied citizens "by reason of their color, race, religion or national origin." The six-member commission, to be appointed by the President and confirmed by the Senate, also would study legal developments denying "equal protection of the laws" and evaluate Federal civil rights laws and policies. It would submit a report in two years and go out of business 60 days later.
2. Establish a separate civil rights division, headed by an assistant attorney general, in the Justice Department.
3. Authorize the Government to bring civil suits directly in Federal courts to head off impending violations of civil rights violations. Such suits would not have to be submitted first to State courts or State administrative procedures.
4. Prohibit private persons, as well as officials, from interfering with the voting rights in any general, special or primary election "held solely or in part" to choose Federal officials. The Government could bring suits under this section also for injunctions to prevent such interference.

After American P. 4
H. R. 6127
See Congress for Summary

IN THE SENATE OF THE UNITED STATES

June 18, 1957

Received

June 18, 1957

Read the first time

June 20, 1957

Read the second time and ordered to be placed on the calendar

AN ACT

To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States

Be it enacted by the Senate and House of Representatives

of the United States of America in Congress assembled,

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch

of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three

CIVIL RIGHTS BILL — This is a copy of the Civil Rights Bill which has passed the House of Representatives and is now under consideration in the Senate. All kinds of lengthy predictions are being made as to when the Senate will actually vote on the measure. It is strongly opposed by Southern senators. Estimates are that delaying tactics and debate on bill are costing taxpayers \$240 an hour.

RIGHTS BILL FOES PROPOSE TO LIMIT USE OF INJUNCTION

June 17-18-57
Senators Hear Amendments by Russell to Restrict U. S. Action to Voting Cases

OTHER CURBS SOUGHT

Southern Bloc Would Bar Employment by Inquiry of Unpaid Volunteers

By JOHN D. MORRIS

Special to The New York Times.

WASHINGTON, July 13—

Senator Richard B. Russell placed before the Senate today the Southern opposition's main proposals for modification of the Administration's civil rights bill.

The Georgia Democrat, leader of those who oppose any civil rights legislation, presented three proposed amendments as supporters of the bill sought to stem a new flurry of compromise talk.

Senator Jacob K. Javits, Republican of New York, called compromise discussions now going on in the cloakrooms "premature."

"Contemplation of compromises now," he told the Senate, "only tends to divide and fragmentize those who favor a civil rights bill at this session."

Senators Paul H. Douglas, Democrat of Illinois, and Charles E. Potter, Republican of Michigan, voiced support of his stand.

Authorizes Injunctions

The principal amendment put forward by Senator Russell would eliminate Part III of the bill, which he has attacked as a "cunning" device to enforce racial integration of schools and public facilities in the South.

This part of the measure would authorize the Attorney General to seek Federal Court injunctions against infringements or threatened infringements of civil rights in general, including the right to vote.

Violators of such injunctions would be subject to fines and jail sentences, without jury trial, for contempt of court.

Similar provisions of the bill, restricted to the right to vote, would not be affected by Mr. Russell's proposals. But he and his associates are supporting an amendment by Senator Joseph C. O'Mahoney, Democrat of Wyoming, that requires jury trials where substantial questions of fact are involved in contempt proceedings.

Would Bar 'Reformers'

Senator Russell also called for the elimination of a provision that would authorize a proposed bipartisan civil rights commission to use the services of volunteer, unpaid investigators.

He told the Senate:

"I cannot conceive of a more mischievous provision for a commission which is to deal with such delicate subjects as the bill proposes than one which would permit the utilization of services of persons who are anxious to get into this field and who are undoubtedly affiliated with the groups which have pressed for the proposed legislation.

"Nothing could be more calculated to destroy any good results which could possibly flow from the creation of the commission than to have a great many long-haired reformers—

or short-haired ones for that

matter—who have volunteered their services running around the country stirring up trouble and trying to generate evidence for action on the part of the commission."

Fears 'Biased' Commission

The six-member commission, appointed by the President with Senate confirmation, would have authority under the bill to investigate civil rights violations and recommend reforms. It could subpoena witnesses to testify.

The third amendment proposed by Senator Russell would make the commission's staff director subject to Senate confirmation and fix his salary at \$22,500 a year.

Since the full-time staff director "in fact directs the progress of investigations" by such commissions, he argued, the Senate should have a hand in his appointment.

"These amendments," the Senator declared, "are brought forward in the hope that if this part of the bill is enacted into law we shall assure that those who feel very deeply that they are being investigated as criminals, under the vast powers given the commission, shall at least be investigated by responsible employees of the Government of the United States."

"I am sure anyone interested in having a commission which might really accomplish anything will agree that we must relieve it of any appearance of having been biased and slanted at the very outset."

Earlier, Senator Albert Gore, Democrat of Tennessee, told reporters he was consulting with colleagues of both parties in an effort to draft a complete substitute. He said he opposed the Administration bill but favored a compromise that would guarantee voting rights and create a commission to study interracial problems.

He voiced doubt that more than ten Senators were satisfied with the House-approved bill.

There was no apparent prospect of a compromise that would satisfy the Russell bloc of about eighteen Southern Senators. But it was possible that sufficient modifications could be devised to avert a filibuster—the tactic of dilatory debate to prevent action.

Another possible solution was

to alter the bill enough to weaken the Southern opposition to a point where closure, the device limiting debate, could be invoked against a filibuster. Sixty-four votes are required for closure.

Danger Is Foreseen

A danger foreseen by some Senators favoring compromise was that the bill might be watered down so much that civil rights advocates would join die-hard Southerners in voting against it.

Senator Javits, in a brief speech, declared that discussion of compromises at this stage served to "weaken the resolution" of proponents of the bill "while it will not win anyone who does not want a bill at all."

"We all should know from our legislative experience," he added, "that those who are unalterably opposed will often support and vote for amendments reducing the scope of the bill, its enforcement power—indeed, emasculating it—and then vote against the bill."

He defended Part III of the bill as a just means of insuring the right of all citizens "to attend desegregated public schools and use other public facilities."

The Main Provisions Of the Civil Rights Bill

Special to The New York Times.

WASHINGTON, July 13—The Administration's civil rights bill would provide in substance for the following:

¶ Establishment of a special Civil Rights Division within the Department of Justice.

¶ Creation of a Federal Civil Rights Commission armed with subpoena powers to compel witnesses to testify and to produce records. It would attempt to rectify instances of illegal racial discrimination.

¶ Authority for the Department of Justice to intervene, in the name of the United States, in behalf of individuals in instances of actual or threatened violations of civil rights—such as the right to vote or to attend an integrated school. This could be done with or without the consent of the victims.

Federal prosecutors could obtain injunctions from Federal district judges against such real or threatened violations. Persons disobeying these injunctions could be fined or imprisoned for contempt by Federal judges, without jury trial.

PRESIDENT UNDER FIRE IN CIVIL RIGHTS DEBATE

His Remarks on Part III of Bill Suggest That He Had Not Been Fully Briefed By His Aides

HIS INTEREST IS IN VOTING

By ARTHUR KROCK

WASHINGTON, July 20—The President's responsibility for the form in which the equal rights enforcement bill will be approved by Congress, assuming that some measure of this kind will be passed at this session, inevitably has entered the arena of partisan politics. This was inevitable because, though the pending bill was drafted for and urged on Congress by the Attorney General of the Eisenhower Administration and has strong support from non-Southern Democrats, the President has revealed surprise and misgivings over fundamental sections of the legislation his own appointees composed.

In his news conference of July 3 he singled out as "the objective I was seeking" (a) laws that would prevent illegal interference with the right to vote of every individual "qualified by proper laws of his state" to do so, and (b) a Federal commission and a new division in the Department of Justice to keep watch for infringements of that right. Since the Administration text of Part III of the measure covered a much wider area, including expanded scope of Federal court injunctions to enforce Supreme Court invalidations from 1954 onward of all forms of public racial segregation, this statement encouraged a growing bipartisan Senate movement to strike that section from the bill.

Point Emphasized

In his news conference of July 17 the President again lent indirect strength to this movement by saying that by the free exercise of suffrage any "group or class" would have a means of "taking care" of itself: hence on this point he was placing "the greatest emphasis." And in answer to another question about Part III, the President stated his opposition to proceeding "too far too fast in this delicate field" where laws should "go along with education and understanding." On the previous afternoon he had issued a formal state-

Neuberger Critical

He has, said the Oregon Senator, "revealed, first, that he is

not thoroughly familiar with the contents of his Administration's edly in the searching test of bill, and, second, that he is not unrestricted news conference enthusiastically in favor of what questioning that covers a vast he does believe the bill to range of subjects, to believe he would have endorsed Part III if

The President's lack of "en- he had understood its purpose thusiasm" for any part of the and the legal means invoked to bill, save Part IV which deals attain it. During one Cabinet with voting rights, undoubtedly discussion on how desegregation is an honest reflex of his basic could be enforced, some mention political philosophy. And it was was made of the employment of a shock to these principles when the armed forces. "Over my the President first realized, by dead body," exclaimed the the dramatic exposition of Part President.

III by Senator Russell of Geor- Yet Section 1985, Title 42, ga, that this section of the bill United States Code, which the specifically invoked for him the Administration drafters of the power to use troops to enforce equal rights bill invoked as an the Supreme Court's anti-deseg- enforcement arm for Part III,regation decisions. incorporates Section 1993 that,

Perhaps if he were a lawyer, in this context, specifically em- and could expertly weigh the powers the President to use opposing legal arguments of his troops to compel desegregation. Attorney General and Senator And, for whatever reason, this O'Mahoney of Wyoming over the was news to him when Senator denial in Part IV of jury trial Russell dramatized the fact.

But one impression of the President's attitude stands out clearly. He is little concerned with the Democratic-Republican struggle for credit with Negro voters and "liberal" groups for putting equal rights legislation on the statute books for the first time in years. He is not thinking primarily of political party advantage, as so many in Congress are. He is intent as a matter of principle on getting the right to vote for any who are illegally denied it. If politics were his principal consideration his news conference transcripts would have read very differently.

Political Philosophy

On the printed record of his political philosophy the President more likely would accept support of legislation which to the view on this point of The Evening Star of Washington, an advocates of the Administration ancient and consistent champion of equal rights, that this denial "in reality is a radical and highly dangerous departure from one of our most prized traditions and fundamental rights."

But the President's demonstrated unfamiliarity with both the contents and the enforcement potentialities of basic sections of the Administration measure cannot be explained by any such reasonable hypotheses. It is a mystery that has evoked general speculation and these unanswered questions:

Was the President incompetently or deceptively briefed on the bill by trusted associates with the solemn obligation to give him the facts? If so, who were they, and what will the President do about them? Did he, although competently and fully briefed, fail to gather the facts because of inattention or inability to comprehend?

Observers Split

Those who speculate are divided over the correct answer. But it is very difficult for this observer of the President's mental grasp of intricate problems

Georgia, predicted just as confidently that opponents of the bill had enough votes to write in major amendments drastically limiting its scope.

The Senate is expected to vote Tuesday on an amendment that would eliminate Section III from the bill.

This section would give the Attorney General the right to seek Federal injunctions to protect a broad range of civil rights in addition to voting. Persons who violated such injunctions would be convicted of contempt and jailed without jury trial.

Despite Mr. Brownell's public show of confidence, the Administration has been working desperately over the week-end to head off what appears to be almost certain victory for the Southerners on this point.

Knowland Sees 'Close' Vote

The Senate Republican Leader, William F. Knowland of California, leader of the coalition for the bill, would predict only that the vote on this section would be "close."

Senator Russell, appearing on the Columbia Broadcasting System's television program, "Face the Nation," declared flatly: "We have the votes to strike Section III from the bill, at the present time."

Further, he said, "I would be very much surprised if the Senate did not apply a jury trial amendment to this bill."

An amendment to strike out Section III has been offered by two of the Senate's long-time liberals, Senators Clinton P. Anderson, Democrat of New Mexico, and George D. Aiken, Republican of Vermont.

Cites The Constitution

Another liberal, Senator Joseph C. O'Mahoney, Democrat of Wyoming, is the author of an amendment to provide for jury trials in cases involving refusal of voting rights in which one or more facts are in dispute.

Mr. Brownell, appearing with Representative Kenneth B. Keating, Republican of upstate New York, in an interview filmed for New York stations, declared himself firmly opposed to both these amendments.

Mr. Brownell said he was in favor of "clarifying" the bill to remove Southern fears that

troops might be sent in to enforce school integration.

He expressed opposition, however, to a compromise in the sense of "taking away or modifying civil rights that are guaranteed to all of our citizens by the Constitution."

The Attorney General said that the compromises suggested to date "would really have the effect of destroying the effectiveness of the bill."

Mr. Brownell said there was "nothing" to the charge that the Administration would use troops to force school integration and other rights.

"There is no indication whatsoever to force these matters in any way that has not heretofore been approved," he said.

Senator Russell, obviously feeling a growing command of the situation, swung out at the bill as "vote-bait," and said that "rather extreme left wingers" were trying to persuade both political parties to back it as a means of gaining power with minority group support.

He refused to say whether the South would filibuster against an amended bill without Section III and including jury trials. But he did assert that supporters of the bill "could never impose closure on us."

Closure is the means whereby the Senate can limit debate. It requires the votes of sixty-four Senators.

Senator Russell said further that he did not think a bill without substantial amendments could be passed by a simple majority vote of the Senate.

Senator Knowland on Friday abandoned efforts to work out a compromise softening section III that might win enough votes to retain its main provisions in the bill. Northern liberals regarded his compromise as too soft, and Southerners considered it not soft enough.

A call for no compromise at all came, meanwhile, from Representative Emanuel Celler, Democrat of Brooklyn, chairman of the House Judiciary Committee, who piloted the bill successfully through the House, and from Senator Irving M. Ives, Republican of New York.

Mr. Celler warned, as head of the House conferees who will meet with Senate conferees to iron out differences if a bill is passed by the Senate, that he would "refuse to participate in the acceptance of any crippling amendments."

Scoffs at South's View

He described as "just plain nonsense" charges in the Senate that the House and the Administration had either concealed or had not known what was in the bill when it was before the House.

He said: "The bill was raked fore and

BROWNELL FEELS
CIVIL RIGHTS BILL
WILL BE PASSED

New York
Expects No Vital Changes—
Russell Reports Foes Have
Votes to Alter Measure

By ALLEN DRURY

Special to The New York Times.

WASHINGTON, July 21—Herbert Brownell Jr., the Attorney General, predicted today that the Senate would pass the Administration's civil rights bill without substantial change.

But the leader of the fight against the measure, Senator Richard B. Russell, Democrat of

that they would ultimately vote against even an amended bill, the talk of compromise was "futile." "We've got to fight the issue out, head on," he declared.

The Civil Rights Bill-II

[This is the concluding part of a summary of the civil rights bill passed by Congress. The first part appeared on this page Saturday.]

POWERS OF THE COMMISSION

The President may appoint a full-time staff director for the Commission and pay him up to \$22,500 a year. The Commission may appoint "such other personnel as it deems advisable." It may not, however, use volunteers.

If it "deems advisable," the Commission may set up advisory groups within the states and consult with state officials.

Subcommittees of two or more members of the Commission may hold hearings and issue subpoenas "at such times and places" as the Commission desires.

If a subpoena is ignored, the U.S. attorney may apply to the local district court for an order forcing the witness to appear. If the court grants the order and the witness still holds out, he may be cited for contempt.

APPROPRIATIONS

There is hereby authorized to be appropriated so much (money) as may be necessary to carry out the provisions of this act.

PART II—AN ADDITIONAL ASSISTANT ATTORNEY GENERAL

The title is explanatory. There is no mention of the new assistant's duties, but it isn't likely that he will be looking for Weights and Standards violators.

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES

This is the part that brought on the storm. In its original version, Senator Russell found an obscure citation that would have permitted use of federal troops to enforce all Supreme Court decisions, including school integration. Even the bill's most ardent supporters professed surprise and disclaimed responsibility. The Senate knocked out the provision.

PART IV—SECURING AND PROTECTING THE RIGHT TO VOTE

This forbids any person, "whether acting under color of law or otherwise," from interfering with any person's right to vote for national offices—president, vice president, presidential electors, senators, representatives and territorial delegates—at any general, special or primary election.

Whenever any person has engaged, or there are reasonable grounds to believe that any person is about to engage, in any act or practice which would deprive any other person of any right or privilege . . . [to vote], the attorney general may institute . . . a civil action or other proper proceeding for preventive relief, including any application for a permanent or temporary injunction, restraining order, or other order.

The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Any person cited for alleged contempt shall have the right of court-appointed counsel if he is unable to provide his own.

PART V—TRIAL BY JURY

Southern senators, led by Senator Ervin of North Carolina, waged a long fight to secure jury trials in cases of criminal contempt. In the end, they prevailed by a vote of 51-42.

Jury trial is not assured in all criminal contempt cases—only if the penalty imposed by a judge is more than \$300 in fines or 45 days in jail. Thus a person fined \$301 or sentenced to 46 days in jail may demand and get a *de novo* trial by jury. A person fined \$1 less or sentenced to one day less hasn't that right.

Civil contempt is another matter. It carries no trial by jury. Civil contempt is imposed to get compliance with a court order. Criminal contempt is punishment for failing to comply.

QUALIFICATIONS OF FEDERAL JURORS

This provides that any person 21 years or older is eligible to serve as a federal grand or petit juror unless: He has been convicted of a crime carrying punishment of one year or more and his civil rights have not been restored; he is unable to read, write, speak or understand the English language; he is mentally or physically incapable of rendering jury service.

That is the civil rights law—the first passed by Congress since Reconstruction days. The South should know it, for it must live with the law—or harsher successors—for a long time.

Ex-Justice Reed Ike Names Rights Board; Named To Head Ex-Justice Reed at Helm; Civil Rights Unit Georgians Assail Choice

Chairman Hit As 'Biased'

WASHINGTON, Nov. 7 (AP)—President Eisenhower today picked Stanley F. Reed, retired Supreme Court justice, to be chairman of the new Civil Rights Commission.

Eisenhower also made these other appointments to the six-member commission:

John A. Hannah, president of Michigan State University and a former assistant secretary of defense, vice chairman of the commission.

John S. Battle, former governor of Virginia.

J. Ernest Wilkins, an assistant secretary of labor and a Negro.

The Rev. Theodore M. Hesburgh, president of Notre Dame University.

Robert G. Storey, dean of the Law School at Southern Methodist University in Texas.

The recess appointments are subject to Senate confirmation when Congress reconvenes in January. Formal nominations will be sent to the Senate at that time.

Reed, who retired last Feb. 25, was one of the nine Supreme Court justices who unanimously declared in May of 1954 that segregation of public school pupils on grounds of race was unconstitutional.

Under the civil rights law enacted by Congress and approved by Eisenhower last August, not more than three members of the new commission may be members of the same political party.

The White House listed Reed, Battle, and Storey as Democrats, Hannah and Wilkins as Republicans and Hesburgh as a political independent.

The commission will have a full-time staff director to be appointed by the President and confirmed by the Senate. A selection for that position has not been made.

By law, the commission is



NAMED CHAIRMAN—

Former Justice Stanley F. Reed. empowered to investigate allegations of denial of voting rights, and to collect general information on denial of equal protection of the laws.

The commission also has subpoena power and is authorized to hold open or closed hearings. It is required to submit a final report and recommendations to the President two years after presidential signing of the bill, or in August, 1959.

The civil rights law authorizes appointment of a new assistant attorney general in charge of civil rights matters. In reply to a question today, Associate White House Press Secretary Anne Wheaton said she looks for announcement of that selection soon.

Georgia political leaders lashed at President Eisenhower Thursday night for appointing an "obviously biased" chairman of the new Civil Rights Commission.

While unanimously opposing the creation of the commission itself, they leveled their heaviest fire at the selection of Stanley F. Reed, retired Supreme Court justice who concurred in the 1954 decision outlawing school segregation, as head of the six-member board.

APPROVAL OF BATTLE

Approval was voiced in some quarters over the naming of John S. Battle, former governor of Virginia, and Robert G. Storey, dean of the Southern Methodist law school.

"Storey is the outstanding appointee, and Battle is also fine," declared Charles Bloch, Macon attorney who has appeared before several congressional committees on the civil rights question.

"As for Reed, it will give him an opportunity to recant," he added.

"Reed has already made known his opinion. He can't be expected to be neutral," U. S. Rep. J. L. Pilcher said at Meigs. "It looks like Ike stacked the commission against the South."

Vigorous objections to Reed also were registered by U. S. Reps. Prince Preston of Statesboro, Paul Brown of Elberton and Phil Landrum of Jasper.

VANDIVER'S VIEW

Lt. Gov. Ernest Vandiver seemed to sum up Georgia sentiment

when he said at Toccoa, "It is obvious the chairman will be a biased chairman." Vandiver added, "Battle is the only appointee who believes in constitutional government." Rep. Brown also termed Battle "a good man."

In Washington, Sen. Russell and Rep. Davis declared they feel the commission itself is unnecessary. Russell added, however, he had recommended the selection of Battle.

Roy Harris of Augusta and Ivan Allen Jr. of Atlanta deplored the commission as a Republican effort to dismember the South.

Gov. Griffin, Atty. Gen. Cook and Sen. Talmadge could not be reached for comment Thursday night.

Appoints Negro And Virginian

By ANTHONY LEWIS

(Copyright 1957 by The New York Times Co.)

WASHINGTON, Nov. 7—President Eisenhower made his long-awaited appointments today to the Civil Rights Commission.

As chairman of the six-man group he named Stanley F. Reed, 72, retired justice of the Supreme Court. The vice chairman will be John A. Hannah, 55, president of Michigan State University and a former assistant secretary of defense.

The other members are: John S. Battle, 67, governor of Virginia from 1950 to 1954.

The Rev. Theodore M. Hesburgh, 40, president of Notre Dame University.

Robert G. Storey, 63, dean of Southern Methodist University Law School and a former president of the American Bar Assn.

J. Ernest Wilkins, 63, assistant secretary of labor and a Negro.

The commission was authorized

by the civil rights legislation which passed Congress at the last session. Its primary job will be to investigate charges that citizens are being denied the vote for reasons of "color, race, religion or national origin."

The six men were given recess appointments by the President today and hence will be able to start work immediately. When Congress reconvenes, their nominations will be formally submitted for Senate confirmation.

A long and rough road to confirmation has generally been expected for the commission members. The names will go first to the Senate Judiciary Committee, of which the chairman is Sen. James O. Eastland, (D-Miss), a vigorous opponent of all civil rights measures.

But the first reaction here to the list announced at the White House today was that the confirmation fight might not be so difficult. The national reputation of the nominees, and the prior federal service in some cases, may help push the names through the judiciary committee quickly.

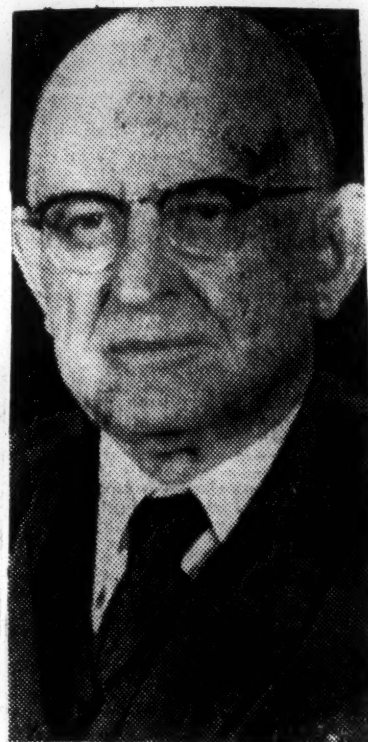
The commission members match quite precisely the characteristics which President Eisenhower has said he was seeking.

The President told his press conference last week that he wanted a non-partisan group, persons of "national reputation," representing the "spectrum of American opinion" on civil rights, and with "a judicial turn of mind."

THREE DEMOCRATS

Three of the appointees are Democrats — Reed, Battle and Storey. Hannah and Wilkins are Republicans and Father Hesburgh an Independent. By law no more than three of the commissioners could come from one party.

Two of the six members are Southerners, and Reed comes



Associated Press Wirephoto
HEADS RIGHTS GROUP
Stanley Reed

from the border state of Kentucky. Wilkins is a Negro. Four—all but Hannah and Father Hesburgh—are lawyers.

Judged by his record in 19 years on the Supreme Court, the chairman of the Civil Rights Commission shares the Eisenhower philosophy of "moderation."

It is believed in Washington that Justice Reed was the most reluctant of the nine justices who joined in the unanimous 1954 opinion holding racial segregation in the public school unconstitutional.

APPOINTED BY ROOSEVELT

As solicitor general from 1935 to 1938, Reed argued many of the cases testing the constitutionality of New Deal statutes. He was appointed to the court by President Roosevelt in 1938. At the time of his retirement last Feb. 25 he was regarded as perhaps its most conservative member.

Battle is considered a Southerner of moderate views. In 1952, when other leading Virginia Democrats withheld their support, Battle came out for the Democratic presidential candidate, Adlai E. Stevenson. He opposed efforts to impose a "loyalty oath" at the 1952 Democratic convention, and helped work out a com-

Gov. Battle's Appointment
 PROBABLY many Southern leaders would have rejected President Eisenhower's appointment to serve on the U.S. Civil Rights Commission, whose business is investigating the denial of the ballot to colored citizens. In the South it is a hated apparatus of the federal tormentor.

But John S. Battle, the former Governor of Virginia, has agreed to serve. Battle took this view in accepting the burdensome assignment:

When I was asked to serve as a member of the Civil Rights Commission, I was told that the President wished to appoint someone with the strong Southern viewpoint which I have.

I have therefore agreed to accept the appointment in the hope that I may, in some measure, contribute to a better understanding of a problem which is disrupting our country in these perilous times.

Many Southern citizens are aggrieved over the race problem that they have lost their capacity to reason and they throw chains over TV wires. Such ones may call Battle a traitor for lending his name and thus his sanction to the commission.

But in the excellent John S. Battle they have a difficult target. There is no question but that he opposes in his soul race mixing in schools and he has been a mover in Virginia's resistance to the court's school decree.

Many will remember Battle's moving address to the Democratic Convention in Chicago in 1952 when the trashy "Soapy" Williams and his little band of willful jerks sought to eject Southern delegates unless they took a loyalty oath.

The commission will hold hearings in the South and investigate. Many reluctant Southerners will be dragged before it. The commission awakens dreadful visions of mass qualification of Negro voters and consequent political dominance.

Battle has accepted this appointment to insure at least one friendly commissioner. His circumstance will be largely that of our Southern congress-

men who sit on committees dominated by enemies of the South. They consider that they can do more from within than without.

Justice Reed Resigns From New Rights Unit

By Richard L. Lyons
 Staff Reporter

Stanley F. Reed resigned yesterday as chairman and member of the new Civil Rights Commission.

The 72-year-old retired Supreme Court justice informed President Eisenhower that on reflection he had decided such service would be "incompatible with my obligations as a judge."

This meant further delay in starting the fact-finding advisory task of the Commission which was given two years of life from the date of its creation by Congress three months ago.

The President appointed Reed and five other persons Nov. 7. An organizational meeting scheduled for Monday has been canceled. The White House had no word on Reed's successor.

In changing his mind, Reed apparently considered both his past and future. As a member of the high court he sat in judgment on several civil rights cases, including the 1954 decision outlawing enforced segregation of public schools.

Reed wrote the President he felt it would not be proper for him to "accept such an investigatory and advisory office in the executive department" after such service in the judicial branch.

Also, as a retired justice, Reed is subject to recall for duty on any Federal bench except the Supreme Court. Since his retirement last February, he has sat on the Court of Claims and could be asked to serve on district or circuit courts of appeal here or elsewhere in the country.

Reed told the President that when he agreed to serve "I permitted my desire to be of use . . . to blind me to the weightier harmful effects of possible lowering of respect for the impartiality of the Federal judiciary."

The President accepted the resignation in a letter saying he had to respect Reed's reasons.

The White House had tried earlier without success to persuade Adlai E. Stevenson to serve on the Commission. If the President wishes to maintain the balance achieved by Reed's appointment, the President would need a border state Democrat of national stature.

Ex-Justice Quits Civil-Rights Body

Stanley Reed Says Post Would Be Incompatible With Judicial Status

Washington, Dec. 3.—Stanley F. Reed of Kentucky resigned Tuesday from the new Civil Rights Commission he was to head, saying the position would be incompatible with his obligations as a retired Supreme Court justice.

Reed's resignation was accepted promptly by President Eisenhower.

Eisenhower's appointment of Reed November 7 drew a generally favorable initial reaction from members of the Senate, which will pass on the nominees to the six-member bipartisan commission.

However, there later was speculation that the selection of Reed might raise some opposition because, as a former high-court justice, he is still available for duty on other federal benches and recently served in such a capacity. In such an event, he might be called on to give a judicial opinion in a civil-rights case.

Reed Explains Position

The 72-year-old jurist, whose home is in Maysville, sent Eisenhower a handwritten letter, dated Monday, saying he must withdraw from the commission "with regret that I have added to your burdens by my former acceptance."

Reed explained his position in these words:

"When I recently indicated to you my willingness to serve on this commission I permitted my desire to be of use in the orderly adjustment of civil-rights matters to blind me to the weightier harmful effects of possible lowering of respect for the impartiality of the federal judiciary."

He said that to accept an executive-branch assignment that would involve policy making through investigation and through appraisal of federal civil-rights laws "now seems to be incompatible with my obligations as a judge."

In a reply, dated Tuesday, Eisenhower said, "Under the circumstances I must respect the reasons you give for being

unable to serve as a member of the commission."

The commission was set up under the civil-rights law passed by Congress last summer. It was empowered to investigate denial of voting rights and appraise laws and policies regarding equal protection under the Constitution.

Reed retired from the Supreme Court February 25 because he said it no longer seemed wise to continue the strain of "unremitting exertion" required by his court duties. In retirement he draws full salary of \$35,000 a year.

Put on High Court by F.D.R.

Reed was named to the high court in 1938 by President Franklin D. Roosevelt. He was on the tribunal when it unanimously outlawed racial segregation in public schools.

Press secretary James C. Hagerty said he had no immediate information on when Eisenhower would name a new member of the commission to succeed Reed.

The White House announced indefinite postponement of a commission-organization meeting scheduled for next Monday. President Eisenhower had planned to meet with the six-member group.

Other members who have been named by Eisenhower are:

John A. Hannah, vice-chairman, president of Michigan State University; former Governor John S. Battle of Virginia; the Rev. Theodore M. Hesburgh, president of the University of Notre Dame; Robert C. Storey, dean of the Law School at Southern Methodist University, and J. Ernest Wilkins, assistant secretary of labor, a Negro. The President is free to appoint either a Democrat or a Republican to the vacancy. The

statute says no more than three members may be of one party. There are now two Republicans Hannah and Wilkins; two Democrats, Battle and Storey, and an independent, Father Hesburgh.

ke picks rights unit

By LOUIS LAUTIER

(Editorial on page 4)

WASHINGTON (NNPA) —

Stanley F. Reed, 72-year-old retired associate justice of the U.S. Supreme Court whom President Eisenhower, Thursday, named chairman of the new Civil Rights Commission made an excellent record in civil rights cases in the 19 years he was on the bench.

Despite his Kentucky background, he dissented in none of the big racial discrimination and segregation cases, including the decisions of May 17, 1954, and May 31, 1955, in the school segregation cases.

Along with Justices Robert H. Jackson and Wiley Rutledge, he took no part in the consideration or decision of the racial restrictive covenant cases because the apartment house in which he was living was covered by such a covenant.

Cepo American
JUSTICE REED wrote two of the Supreme Court's historic opinions in the area of civil rights for colored people that may stand forever as landmarks of social progress.

In 1944, in the case of Smith vs. Allwright, he wrote the opinion finding the white primary in Texas unconstitutional and, in 1946, wrote the opinion in the Irene Morgan vs. Virginia case outlawing racial segregation in interstate transportation.

He joined in the unanimous decision in the Thompson Restaurant case in which the court held valid and enforceable "lost laws" of 1873 forbidding discrimination against any "well behaved" person in any

restaurant or place of public accommodation in the District of Columbia.

IN THE CASE of James Avery, whose conviction and death sentence for rape in Fulton County (Atlanta), Ga., the court set aside because the names of prospective white jurors were placed in the jury box on white slips of paper and of prospective colored jurors on yellow slips, Justice Reed wrote a separate concurring opinion.

Justice Reed joined with the late Chief Justice Fred M. Vinson and Justice Jackson in a concurring opinion written by Justice Tom C. Clark in the case of the Jaybird Democratic Association of Fort Bend County, Texas.

The Jaybird party excluded colored voters from participating in its primaries. Founded in the post-Reconstruction period to promote "good government," it restricted membership to whites.

JUSTICE CLARK, Chief Justice Vinson and Justices Jackson and Reed said they believed that the Jaybird party case fell within the broad principle laid down in Smith vs. Allwright, the Texas case in which the court held that the Democratic party is prohibited by the 15th Amendment from conducting a racially discriminatory primary election.

Justice Reed wrote the opinions in several capital cases in which convictions and death sentences of colored persons were upheld.

And he dissented with liberal members of the court in the case of Joseph Beuharnais, head of a Chicago segregationist group, who distributed leaflets which violated an Illinois anti-libel law. The majority upheld Beuharnais' conviction and fine of \$200.

THE RETIRED justice and the other appointees meet the qualifications set out by President Eisenhower at a news conference for members of the commission.

He said he wanted men of national reputation, representing all types of thinking, "people of thoughtful mien and type whose reputation is that of being of a judicial turn of mind,

and "the spectrum of American opinion" on civil rights.

In addition to Justice Reed, the members are:

John A. Hannah, 56, president of Michigan State University. Dr. Hannah served as assistant secretary of defense for manpower and personnel in 1953-54 and had a good reputation in his handling of minority group problems. He was named vice chairman of the commission.

He is a native of Michigan and has been president of the university since 1941. He is a Republican.

J. ERNEST WILKINS, assistant secretary of labor for international labor affairs and the only colored person to hold a "Little Cabinet" post since the administration of William Howard Taft.

Mr. Wilkins, 63, was born in Farmington, Mo. He was practicing law in Chicago at the time of his appointment to the Labor Department post.

He served as vice chairman of the President's Committee on Government Contracts from August, 1953, until his appointment as assistant secretary of labor.

Mr. Wilkins is a Republican and was elected secretary of the Judicial Council of the Methodist Church in June 1953, a post he still holds.

JOHN S. BATTLE, 67, Governor of Virginia from 1950-54, now a Charlottesville lawyer.

Governor Battle is opposed to racial integration but went along with the national Democratic party in 1952 and 1956 when some other Virginia Democrats threw their support to President Eisenhower.

He served with Rep. William L. Dawson (Dem., Ill.) on the resolutions committee at the 1956 Democratic National Convention in drafting a civil rights resolution which would have some appeal to colored voters but would not split the party.

He campaigned some for J. Lindsay Almond Jr. in Virginia's gubernatorial campaign this fall, but he would not endorse the "massive resistance" program of Gov. Thomas B.

CIVIL RIGHTS COMMISSION

Stanley and Sen. Harry F. Byrd to the Supreme Court decision against segregated schools.

MR. BATTLE SAID in Charlottesville Thursday night that he had accepted the President's appointment to the Civil Rights Commission to represent "the strong Southern viewpoint."

"I have agreed to accept the appointment in hope that I may, in some measure, contribute to a better understanding of a problem which is disrupting our country in these perilous times," he said.

Mr. Battle, who represents the City of Charlottesville in a case opposing obedience of a school integration order of a Federal court, would not comment on the effect his appointment will have on his handling of the case in court.

"The matter undoubtedly will have to be given consideration," he said.

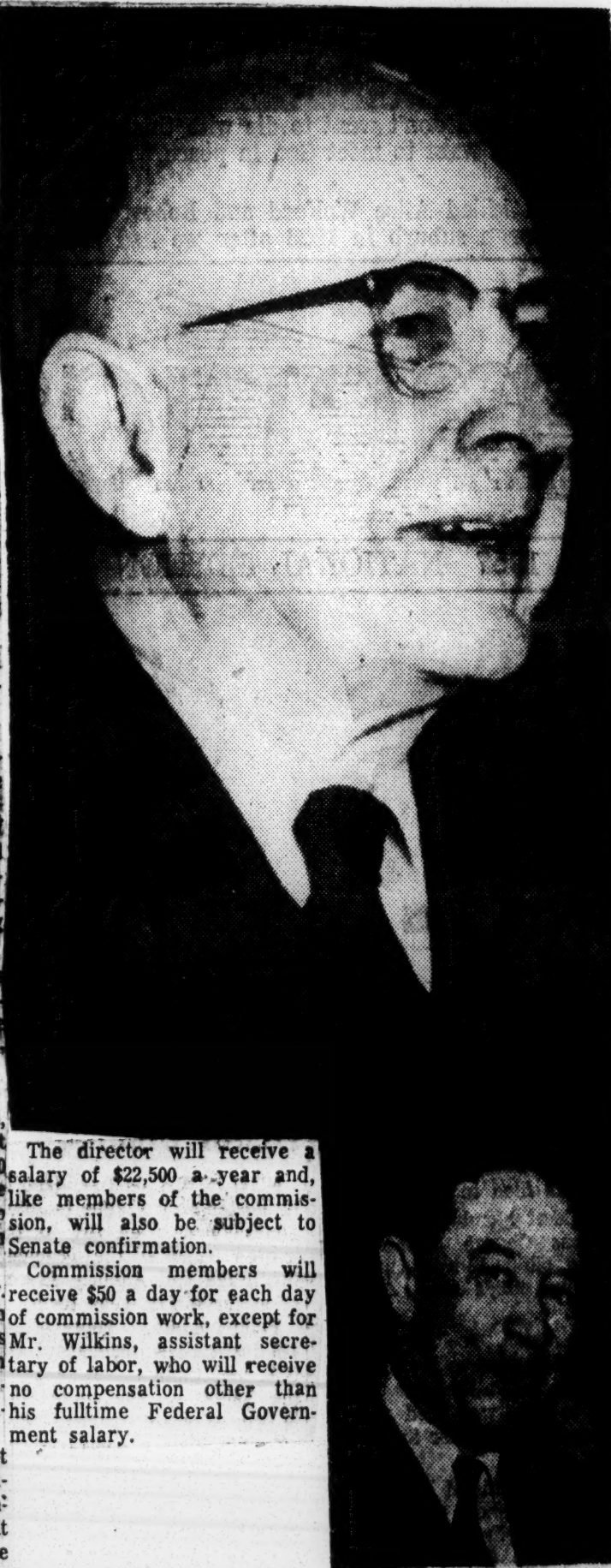
THE REV. Theodore M. Hesburgh, 40, president of the University of Notre Dame. Father Hesburgh is a native of Syracuse, N.Y. During World War II, he was an Army chaplain and before that was chaplain at the National Training School for Boys here.

He has been on Notre Dame's faculty since 1945 and its president for five years. The White House said he is politically independent.

ROBERT G. STOREY, 63, dean of Southern Methodist University's law school for 10 years and president of the American Bar Association in 1953-54. He is a native Texan and a Democrat.

The law school which Mr. Storey heads is the only church school in the State of Texas that bars colored students from all of its schools with the exception of the theological seminary.

President Eisenhower must still select a fulltime staff director for the commission. Under the law, he must consult with the commission before making his choice of a director.



J. ERNEST WILKINS

The director will receive a salary of \$22,500 a year and, like members of the commission, will also be subject to Senate confirmation.

Commission members will receive \$50 a day for each day of commission work, except for Mr. Wilkins, assistant secretary of labor, who will receive no compensation other than his fulltime Federal Government salary.

PRESIDENT OF NOTRE DAME IS APPOINTED AS MEMBER OF CIVIL RIGHTS COMMISSION

WASHINGTON, (NC)—Father Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame, has been named a member of President Eisenhower's newly formed Civil Rights Commission.

The commission is composed of six members, with former U. S. Supreme Court Justice Stanley F. Reed as chairman. It is authorized by the 1957 Civil Rights Act to make a two-year investigation of civil rights violations and to make an appraisal of civil rights legislation. The appointments require Senate confirmation but the commission may start work immediately.

File 11-15-57
The commission is composed of three Democrats and two Republicans. Father Hesburgh, who is 40, is the youngest and a politically independent member of the commission.

Other members of the commission are: John A. Hannah 55, president of Michigan State University, East Lansing, Mich.; vice-chairman; John S. Battle 67, who was governor of Virginia from 1950-54; Robert G. Board. Father Hesburgh was Storey, 63, dean of the law school of Southern Methodist University, Dallas, Tex.; and J. Earnest Wilkins, 63, Assistant Secretary of Labor for International Labor Affairs and the highest placed Negro in the executive branch of the government.

FATHER HESBURGH returned recently to this country from Vienna, where he and Frank Folsom, former president of the Radio Corporation of America, acted as permanent Vatican City representatives at the first general conference of the new International Atomic Energy Agency. On their way back, Father Hesburgh and Mr. Folsom presented their report to His Holiness Pope Pius XII at a

Truce on Civil Rights Is the Wisest Course

Following last year's bitter fight over a somewhat overenthusiastic administration civil rights bill, it is something of a relief to have the man largely responsible for the bill say that no new legislation will be sought this year. That is what Atty. Gen. William P. Rogers now indicates. It must be assumed he

The fight last year consumed the greater part of the congressional session and overshadowed most other proposals of the Eisenhower program. The battle resulted in scuttling major phases of administration legislation, compromises of others and used up great quantities of energy which should have been devoted to the nation's problems and its battle for survival in the cold war. We cannot afford another such fight in a critical election year.

Progress in attaining equal rights in the never-ending controversies of civil rights matters has proceeded at a much faster rate than most people realize. It has been accomplished voluntarily in most instances and when the pace has been too fast such shocks as Little Rock have resulted.

While the country must struggle valiantly with matters which involve external threats to our national security, Congress and the people alike must devote their attention to overcoming those threats instead of adding more fuel to the divisive forces within. The things which unite us are much greater than those which divide us.

10 1957

CIVIL RIGHTS COMMISSION

Variety Of Backgrounds Make Up Civil Rights Board

WASHINGTON, Nov. 9 (P)—The six men appointed by President Eisenhower to the Civil Rights Commission don't have a lot in common—except that they're all Americans willing to take on a tough job.

Here, in brief, are the backgrounds these men bring to their work: *Sum. 11-10-57*

Chairman Stanley F. Reed is a 72-year-old Kentucky-born Democrat who retired from the Supreme Court last Feb. 25 with the explanation he didn't want to stand the strain, since he had reached the age of 72.

Reed came to Washington in 1929 and was appointed to the Supreme Court by President



JOHN S. BATTLE

nah, 55-year-old president of Michigan State University, has previously been in Washington as an assistant secretary of defense for manpower and personnel.

The White House listed Hannah as a Republican but he said "I don't claim to have any party at all."

Hannah once served as president of the International Baby Chick Assn., and also worked at one time for the agriculture department.

Of his new assignment, he said: "This problem of civil rights has had a lot of consideration from a lot of very able people for a very long time. I have no magic solution. It's a very important problem. I have agreed to do my best to help meet it anyway I can."

The Rev. Theodore M. Hesburgh, president of the University of Notre Dame, is catalogued as a political independent.

He was born in Syracuse, N.Y., 40 years ago, the son of a plant manager for a glass company. He entered the Order of the Congregation of the Holy Cross in 1934 and was ordained a priest in 1943. Father Hesburgh became assistant professor of religion at Notre Dame in 1948, executive vice president in 1949 and president in 1952.

He served as a chaplain with the Army in World War II.

J. Ernest Wilkins, 63, the only Negro on the commission, has been an assistant secretary of labor since 1954.



ROBERT G. STOREY

Missouri-born, he was the son of a Baptist minister. He made Phi Beta Kappa at the University of Illinois and took his law degree at the University of Chicago.

He began the practice of law at Chicago in 1921 and in 1941-42 was president of the Cook County Bar Assn. Wilkins has also been active in church work, serving now as president of the Judicial Council of the Methodist Church of America.

John S. Battle, 67, is a North Carolinian who became governor of Virginia.

Battle has been practicing law at Charlottesville, Va., since 1921, served in the State House of Delegates and in the State Senate. He was governor from 1950 until 1954.

An important achievement was his compromise plan which prevented a North-South breach at the 1956 Democratic National Convention.

Of his new assignment Battle said:

"I was told that the President wished to appoint someone with the strong Southern viewpoint which I have."

He said he hopes to "contribute to a better understanding of a problem which is disrupting our country."

Robert G. Storey, 63, dean of law at Southern Methodist University, Dallas, Tex., is listed as a Democrat.

He was graduated from the Uni-



JOHN A. HANNAH

versity of Texas in his native state in 1914 and became a city attorney, an assistant state attorney general and a delegate to the 1932 international convention at The Hague on comparative law.

Storey has been president of the Dallas, Tex., and American Bar Assn., the last in 1952-53.

To Oversee Rights

The Civil Rights Act became law last Sept. 9, but before it could be fully effective three acts were required of President Eisenhower. First, was the appointment of a Commission on Civil Rights; second, the naming of a staff director for the commission, and third, the appointment of an additional Assistant Attorney General to handle civil rights cases.

Under the law the commission is empowered to investigate alleged violations of civil rights, study and appraise the laws relating to civil rights, and Federal policies in that field. Two weeks ago President Eisenhower said he was finding it "difficult to get" the "judicial" kind of men he wanted for the commission. Although he did not say so, one reason was that he wanted Southern representatives on the commission and Southerners with the qualities he sought were reluctant to accept appointment because of the Little Rock situation.



J. ERNEST WILKINS

Reed Won't Take Civil Rights Post Fears Adverse Effect on Courts

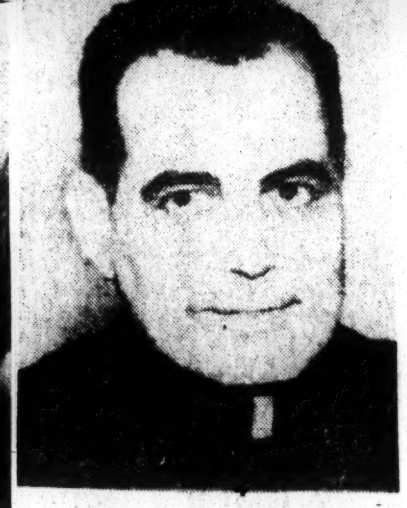
From Herald Tribune Bureau

WASHINGTON, Dec. 3.—The White House announced tonight that Stanley F. Reed has withdrawn his acceptance of the chairmanship of the new Civil Rights Commission.

Mr. Reed, a former associate Justice of the Supreme Court, wrote President Eisenhower in a letter dated yesterday that he feared service on the six-member commission empowered to collect information on civil rights violations might "lower respect for the impartiality of the Federal judiciary."

James C. Hagerty, White House news secretary, said that because of Mr. Reed's unexpected decision, plans to administer the oath of office to commission members at the White House Monday have been "temporarily postponed."

Mr. Reed's longhand letter



REV. T. M. HESBURG

and a sympathetically worded typed answer from the President, dated today, were made public by Mr. Hagerty.

Mr. Reed, who participated in the Supreme Court's 1954 decision against school segregation, wrote the President that "reflection" had led him to withdraw his acceptance of the "much-appreciated" appointment announced Nov. 7.

"When I recently indicated to you my willingness to serve on this commission," Mr. Reed's letter said, "I permitted my desire to be of use in the orderly adjustment of civil rights matters to blind me to the weightier, harmful effects of possible lowering of respect for the impartiality of the Federal judiciary."

For me to accept such an investigatory and advisory office in the Executive Department after service upon the Supreme Court in many civil rights cases now seems to me incompatible with my obligations as a judge. The commission participates in policy-making through investigations and its appraisals of Federal laws concerning civil rights.

Mr. Reed retired from the high court Feb. 25, but has since made himself available for service on other courts.

Eisenhower's Reply

President Eisenhower wrote in reply to the former Justice: "Under the circumstances I must respect the reasons you give for being unable to serve as a member of the commission."



STANLEY F. REED

Franklin D. Roosevelt in 1938 after serving as solicitor general.

On his retirement from the court, Reed told reporters he thought the 9-0 decision against enforced racial segregation in the public schools was the most important case he had participated in, from a social standpoint.

Last month, in a speech to the State Bar of California, he noted the controversy stirred up by the court's civil rights decisions and commented: "Fortunately wrong decisions are not irremediable."

Only chaos can result from misuse of power in opposing court decisions, he said, but those who won't like them can seek a reversal in court, or an amendment to the constitution.

Asst. Chairman John A. Han-

Nevertheless, I appreciate your interest in its work and the extensive consideration you have given to it."

Mr. Hagerty gave no clue to the new choice for the vacancy on the controversial commission, but noted that present members, as well as the still unappointed sixth member, might be chosen chairman. All the recess appointments are subject to Senate confirmation after Congress reconvenes Jan. 7.

Under the Civil Rights Act

THURMOND SCORES CIVIL RIGHTS UNIT

Senator Says Panel Will Spur Racial Tension—Case

of Jersey Hails Group

WASHINGTON, Nov. 8 (AP)—Senator Strom Thurmond, Democrat of South Carolina, said today the new Civil Rights Commission named by the President yesterday, could only "increase racial tensions."

However, Senator Clifford P. Case, Republican of New Jersey, hailed the appointment of the members as "good news indeed."

These conflicting views echoed the bitter Senate struggle last summer that preceded enactment of the civil rights bill authorizing creation of the investigating commission.

Mr. Thurmond put on a futile one-man filibuster against the measure just before it was passed, holding the floor for a record twenty-four hours and eighteen minutes. Mr. Case was a leader of the coalition of Republicans and Northern Democrats supporting the bill.

President Eisenhower appointed the six commission members late yesterday. He named retired Supreme Court Justice Stanley F. Reed as chairman and Dr. John H. Hannah, president of Michigan State University and a former Assistant Secretary of Defense, as vice chairman.

Mr. Thurmond said he was "not at all pleased" that some of those selected by General Eisenhower "have already expressed their sentiments on segregation adverse to the South."

Seeks 'Careful Study'

He called no names in a statement issued through his office here, but he said he would ask for "a very careful

and thorough study" of the qualifications of the members when their nominations were submitted to the Senate after Congress reconvenes in January.

In contrast to Mr. Thurmond's statement, Senator A. Willis Robertson, Democrat of Virginia, another opponent of the civil rights bill, said in Richmond he thought the President had appointed a "very splendid commission."

Mr. Robertson said he was pleased with the selection of former Virginia Gov. John S. Battle and also found the appointment of Mr. Reed "highly gratifying."

Senator Harry F. Byrd, Democrat of Virginia, called Mr. Battle's appointment "excellent," and said "I know he'll stand up for constitutional government and the proper rights of the South."

Mr. Case said in a statement here "the nominees are all distinguished Americans and I hope that the Senate, when it reconvenes, will act on the nominations promptly."

Unit Held 'Unnecessary'

Mr. Thurmond, however, reiterated that he felt the commission was "unnecessary" and said it "can only create dissension and increase racial tensions."

The commission, armed with subpoena power, is directed to investigate any discriminatory denial of voting rights and also look into the subject of equal protection of the laws generally. It is to submit its findings and recommendations within two years.

Mr. Reed, who retired from the Supreme Court last Feb. 25 at the age of 72 after serving for nineteen years, was asked soon after the announcement of his appointment whether he foresaw difficulties ahead for the commission.

"I'm sure we'll have plenty of trouble," he said.

As a member of the court he joined in its unanimous 1954 decision that racially segregated public schools are unconstitutional.

Civil Rights Commission Getting A Slow Start

BY GENE WORTSMAN

Post-Herald Correspondent

WASHINGTON, Dec. 9—Today marks the end of the third month since the law setting up the Commission on Civil Rights was established.

This leaves the commission only 21 more months in which to operate and so far the membership hasn't even been completed.

Nor has its staff director been named nor his assistants.

The five members who have accepted appointment to the commission haven't yet met and, indeed, have no place to assemble until the White House makes room available.

Commission members were to meet today with the President. The meeting was canceled when Stanley F. Reed, former Supreme Court justice, resigned as chairman less than a month after his appointment.

Reed said he became troubled about the propriety of his position soon after saying he would serve as chairman.

"Obviously," he explained, "that was in my mind when I accepted but I didn't appreciate the full force of it. I began getting comments from friends and from people who were familiar with the proper attitude of judges."

As a result, Reed resigned, thus delaying the commission's work even more.

Congress could vote to extend the life of the commission and if that becomes necessary Congress probably will do so.

It will be interesting to see just how the commission goes about its task.

Members will investigate alleged cases of persons denied the right to vote because of "color, race, religion or national origin."

They also will collect information constituting a denial of equal protection of the laws.

No doubt the staff director and his crew will gather this data and present it to the commission which then must decide what should be done: If private or public hearings should be held, if the commission should sit in Washington or elsewhere, if witnesses should be subpoenaed or simply asked to testify.

Although the commission isn't organized, at least a portion of its work is being held for it in the Justice Dept.

W. D. Frink, member of the

Jefferson County Board of Registrars, said he telephoned the department to ask to appear before the commission.

His name was taken, he said, and he was told it would be given to the commission with his request.

The commission is to have six persons.

No political party can have more than three members on the commission.

There now are two Republicans—Vice Chairman Dr. John A. Hannah, president, Michigan State University and Assistant Secretary of Labor, J. Ernest Wilkins, a Negro.

There are two Democrats—John S. Battle, former governor of Virginia, and Robert G. Storey, dean, Southern Methodist University.

There is one independent—the Rev. Dr. Theodore M. Hesburgh, president, University of Notre Dame.

President Eisenhower, therefore, can appoint either a Democrat or a Republican as chairman.

Sketches of Civil Rights Appointees



The New York Times

Stanley F. Reed

RETIRED from the Supreme Court Feb. 25 after nineteen years of service. Sworn in Jan. 31, 1938. When was asked why he was leaving the court he said, "Because I'm 72 years old. ... Reached that age." ... Recently was assigned by Chief Justice Earl Warren to sit on the United States Court of Claims during the illness of a judge. ... Came to Washington from Kentucky in 1929, intending to stay a year as general counsel of the Federal Farm Board. ... Lives in the apartment he and Mrs. Reed occupied when they first came here. ... Has discriminating taste for bourbon whisky, which he uses sparingly, and a fondness for race horses. ... Once commented he had lost some caste in Kentucky by not having race horses on farm in Maysville, but, he said, "cows are more profitable."



Robert G. Story

DEAN of Southern Methodist Law School since 1947. ... Has had wide practical experience in profession. ... Was executive counsel to Justice Robert H. Jackson at Nuremberg war crimes trials in 1945. ... Was graduated from the University of Texas Law School in 1914. ... Became a city attorney. ... Former assistant state attorney general. ... A delegate to international comparative law convention at the Hague in 1932. ... Served as Colonel Air Corps intelligence in World War II. ... Awards include the French Legion of Honor. ... President of the American Bar Association 1952-1953. ... Thinks the shrinkage of the number of criminal-case lawyers is responsible for Americans becoming "most lawless among people." ... He was born in Texas and is 63 years old.



The Rev. T. M. Hesburgh

PRESIDENT of the University of Notre Dame since 1952, when he began his six-year term (set by Canon law) at the age of 35. ... Ardent exponent of stiff academic standards and a return to the classical tradition in education. ... Born in Syracuse, N. Y., the son of a plant manager for a plate glass company. ... A stocky (5 feet 10 inches, 175 pounds) hustler of training. ... Took seminary year at Notre Dame, went through Roman Catholic novitiate for the Congregation of the Holy Cross, Rolling Prairie, Ind. ... Made his confession of faith Aug. 16, 1936. ... Served as Army chaplain during World War II. ... Appointed by Pope Pius last May as permanent representative of the Vatican to the International Atomic Energy Agency.



ted Press

J. F.

Special to The New York Times

ASSISTANT SECRETARY OF LABOR, first Negro to occupy a sub-Cabinet post in the United States Government. ... Chicago lawyer serving on the President's Committee on Government Contracts when recommended for Labor Department post in 1954. ... Placed in charge of the department's international affairs. ... Son of a Baptist minister, born in Farmington, Miss., Feb. 1, 1894. ... Took A. B. at University of Illinois, where he was elected to Phi Beta Kappa. ... After service in the Army, received law degree at University of Chicago. ... President of the Bar Association of Cook County, Ill., for the year 1941-42. ... Married Lucile Beatrice Robinson in 1922. They have three sons.



Associated Press

Dr. John A. Hannah

FORMER Assistant Secretary of Defense in charge of Manpower and Personnel, longtime president of Michigan State College. ... Member of a family of poultry producers, he once served as president of the International Baby Chick Association. ... Worked for United States Department of Agriculture and as a National Recovery Administration code administrator in 1933-34. ... Tall, stooped, with greying black hair at 55, has been described as "the human dynamo" behind the spectacular growth of Michigan State from a relatively small institution to one of the country's largest. ... Served as United States chairman of the Permanent Joint Board on Defense with Canada.



Morton & Roland

John S. Battle

UNTITLED leader of Southern states in Democratic party matters. ... Impressive spokesman for Southern causes. ... Represents Virginia school board in court fight against integration. ... Prevented ouster of South at 1952 Democratic National Convention for spurning "loyalty oath." Healed the breach on eve of 1956 convention with substitute "good faith" rule. ... At age of 67, still likes golf and fishing. ... Governor of Virginia from 1950 to 1954. ... Member of state legislature 1930 to 1949. ... Has had extensive experience in fiscal matters. ... Graduate of Wake Forest College and University of Virginia Law School. ... Member of Phi Beta Kappa. ... A native of North Carolina. ... Married Mary Jane Lipscomb in 1918.

re- In 1944, in the case of Smith
si-v. Allwright, he found the white
primary in Texas unconstitutional.

'Equal Protection' Question

The vague constitution

"I have therefore agreed to accept the appointment in hope that I may, in some measure, contribute to a better understanding of a problem which is disrupting our country in these perilous times."

John A. Hannah, president of Michigan State university, is chairman. The other members are John S. Battle, former governor of Virginia; Rev. Theodore M. Hesburgh, president of Notre Dame university; Robert Storey, dean of the South Methodist University Law school; and assistant Labor Secretary Ernest Wilkins.

WASHINGTON—(INS) — Former Supreme Court Justice Stanley Reed resigned last week as chairman of the new Civil Rights Commission.

Under P.T.

The retired Justice said he fear-

President Selects Civil Rights Board

(Copyright, New York Times News Service)

WASHINGTON, Nov. 7 — President Eisenhower made his long-awaited appointments to the new Civil Rights Commission. As chairman, he named Stanley F. Reed, 72, retired justice of the Supreme Court. The vice chairman will be John A. Hannah, 55, president of Michigan State University and a former assistant secretary of defense.

The other members are: John S. Battle, 67, governor of Virginia from 1950 to 1954; the Rev. Theodore M. Hesburgh, 40, president of Notre Dame University; Robert G. Storey, 63, dean of Southern Methodist University Law School and a former president of the American Bar Assn., and J. Ernest Wilkins, 63, Negro, former assistant secretary of labor.

The commission was authorized by the civil rights legislation which passed Congress at the last session. Its primary job will be to investigate charges that citizens are being denied the vote for reasons of "color, race, religion or national origin."

The six men were given recess appointments by the President today and hence will be able to start work immediately. When Congress reconvenes, their nominations will be formally submitted for Senate confirmation.

A long and rough road to confirmation has generally been expected for the commission members.

Civil Rights Commission Named

This paper strongly opposed the establishment of the Civil Rights Commission whose members now have been named. We still feel that its activities may do more to intensify tensions and problems than to lessen them.

Retired Supreme Court Justice Stanley Reed, who joined in the 1954 decision against racial segregation in the schools, has been chosen for chairman



Ex-Justice Reed

of the six-member group. Asked if he foresaw difficulties in the job, he said, "I'm sure we'll have plenty of trouble."

We fear there'll be more of that than of constructive achievement in the commission's record. But surely it can be hoped that the commission members have been impressed anew in recent developments by the limitations of the effectiveness of force in dealing with racial difficulties, by the intensity of Southern sentiments, by the importance of state rights issues. Such realization should bring a very careful dealing with the commission's duties.

In a recent speech to the California State Bar, said an Associated Press profile on the justice yesterday, "Reed noted the controversy stirred up by the court's civil rights decisions and commented that 'fortunately wrong decisions are not irremediable.' The dispatch continued: "Only chaos can result

from misuse of power in opposing court judgments, he said, but those who dislike a decision can seek amendment of the Constitution or a court reversal of the decision."

Two Southerners named to the commission are former Gov. John S. Battle of Virginia, and Robert G. Storey, dean of the Law School of Southern Methodist University, Dallas.

Other members are John A. Hannah, president of Michigan State University, vice chairman; J. Ernest Wilkins, a Negro and an assistant secretary of labor, and the Rev. Theodore M. Hesburgh, president of the University of Notre Dame, South Bend, Ind.

Mr. Battle said he was told the President wanted a member "with the strong Southern viewpoint which I have," and he accepted, hoping to "contribute to a better understanding of a problem which is disrupting our country in these perilous times."

Appointees are subject to confirmation by Congress but the commission can in the meantime start its work.

It is directed to investigate sworn, written allegations that citizens are being deprived of voting rights "by reason of their color, race, religion, or national origin."

It is also charged with making a study of federal laws and policies with respect to "equal protection of the laws."

It will go out of existence in August, 1959. It is called on to make a report to the President and to Congress.

While our misgivings as to what the commission's activities will produce are strong, we hope that resulting troubles will not be as great as we fear and that it can make some constructive contributions to dealing with these complex and delicate problems.

Kentucky's Reed Heads Civil-Rights Guardians

Notre Dame President 1 of 6 Named

From Wire Dispatches

Washington, Nov. 7.—President Eisenhower Thursday named the bipartisan Civil Rights Commission authorized by Congress to make a two-year study of civil rights.

He picked as chairman Stanley F. Reed of Kentucky, 72, retired United States Supreme Court justice. The others are two university presidents, a law-school dean, a former governor, and a Negro federal official.

Two southerners are in the group. There are three Democrats, two Republicans, and one independent.

Named vice-chairman was John A. Hannah, president of Michigan State University and former assistant secretary of defense. The other members are: John S. Battle, former governor of Virginia.

Negro Included

J. Ernest Wilkins, assistant secretary of labor and former Chicago lawyer, a Negro.

The Rev. Theodore M. Hesburgh, president of the University of Notre Dame.

Robert F. Storey, dean of the law school at Southern Methodist University.

All six recess appointments are subject to Senate confirmation when Congress convenes in January. The formal nominations will be sent to the Senate then.

Reed arrived in Washington by plane Thursday night.

"I'm sure we'll have plenty of trouble," Reed said when asked if he foresaw difficulties ahead in the new job.

Congratulated by Clark

Among the first to congratulate Reed on his appointment was Supreme Court Justice and former Attorney General Tom Clark, who had accompanied him on the plane flight from

Louisville, where both men had before joining the Labor Department. He is a native of Missouri.

Reed said he had no immediate plans in mind for getting the new commission into operation. He was not even sure who had been named by the President to serve with him on the six-member commission. When told by a reporter that the political line-up would be three Democrats, two Republicans, and one independent, Reed said smilingly, "three Democrats is always a good division."

Under the Civil Rights Law enacted by Congress and signed by Eisenhower last August, not more than three members of the new commission may be members of the same political party.

Reed Believes In Moderation

The White House listed Reed, Battle, and Storey as Democrats, Hannah and Wilkins as Republicans, and Father Hesburgh as an independent.

Judged by his record in 19 years on the Supreme Court, the chairman of the Civil Rights Commission shares the Eisenhower philosophy of moderation.

It is believed in Washington that Reed was the most reluctant of the nine justices who

joined in the unanimous 1954 opinion holding racial segregation in the public schools unconstitutional.

Battle, 61, is considered a Southerner of moderate views.

In 1952, when other leading Virginia Democrats withheld their support, Battle came out for the Democratic presidential nominee, Adlai E. Stevenson.

He opposed efforts to impose a "loyalty oath" at the 1952 Democratic convention and helped work out a compromise that buried the issue at the 1956 convention.

Will Tell South's View

In Charlottesville, Va., Battle said he accepted the appointment in order to bring "the strong Southern view" on racial relations to the commission's deliberations.

The 63-year-old Wilkins had a long legal practice in Chicago

Father Hesburgh, 40, has long been regarded as one of the most prominent Catholic educators in the country.

Storey, a 64-year-old native of Texas, is a former president of the A.B.A.'s House of Delegates.

The commission will have a full-time staff director to be appointed by the President, subject to Senate confirmation. This appointment was not made Thursday.

Can Probe Complaints

Under the law creating the commission, it will be empowered to investigate complaints of denial of voting rights, appraise laws and policies regarding equal protection under the

Constitution, and gather information concerning legal developments constituting a denial of equal protection of the laws.

Clothed with subpoena power, the commission will have two years to make a final report and recommendations to the President from the time the bill was signed. That will carry it to August, 1959. It is authorized to hold open or closed hearings.

Commissioners will be paid \$50 a day plus expenses unless

they are already on the federal payroll. The staff director will be paid \$22,500 a year.

Ike Had Been Prodded

Democrats had been prodding Eisenhower to hurry up and name the commission.

The President told his press conference last week that he wanted a nonpartisan group, persons of "national reputation," representing the "spectrum of American opinion" on civil

rights, and with "a judicial turn of mind."

The Civil Rights Law also authorizes the appointment of a new assistant attorney general in charge of civil-rights cases.

Mrs. Anne Wheaton, associate White House press secretary, said she expected that selection to be announced soon.

In one of his most recent speeches, at Monterey, Cal., Reed, a Maysville native, took note of the controversy stirred

up by the high court's civil-rights decisions and commented, "Fortunately, wrong decisions are not irremediable."

He told the state bar of California that only chaos could result from misuse of power in opposing judgments "contrary to our own views." But he emphasized that people who dislike Supreme Court decisions can seek amendment of the Constitution or a court reversal.

First reaction to the appointments was favorable. Senator O'Mahoney (D., Wyo.), who supported the bill creating the commission, called the appointees "men of talent and ability."

Senator Gore (D., Tenn.) said, "It appears to be a group of distinguished Americans."

Val Washington, head of the Negro division of the Republican National Committee, said, "It is a marvelous commission with a good balance."



Courier-Journal Photo

CIVIL-RIGHTS CHAIRMAN . . . Retired Supreme Court Justice Stanley Reed, Maysville, seated at right, yesterday was named head of new Civil Rights Commission. Reed is pictured at American Bar Association meeting here with Chief Judge John Biggs, Jr., Third Circuit, seated left, Supreme Court Justice Tom C. Clark, standing left, and retired Supreme Court Justice Sherman Minton, New Albany. Story on Bar on Page 11.

Ask UN Action On Civil Rights

Charles S. Zimmerman, a leading labor figure and authority on civil rights, said Sunday that the United States is not the only country plagued with discrimination problems.

Zimmerman, chairman of the AFL-CIO's Civil Rights Committee, made his address in Chicago before the third conference on civil rights of the Jewish Labor committee.

He told 700 delegates of the committee that the United Nations should set up a special department to deal with world-wide discrimination.

nation.

Zimmerman, who is also a vice president of the ILGWU and a member of the New York City Commission on Intergroup Relations, singled out India, the Union of South Africa, and the Soviet Union as areas of the world practicing racial and religious discrimination.

He said:

"We (the U. S.) are not peculiarly blighted, there are demagogues everywhere. Bigotry, the persecution of minorities — these afflictions beset other nations as

band, Adam Clayton was inducted into the Shriners at a special initiation last week.

Despite his denial of a Drew Pearson report that he was resigning, insiders say Jim Hagerty, the White House Press Secretary, will leave soon. The terrific pace isn't doing his ulcers any good. Jim who can be pretty rough can also be pretty nice and all in all is rated by newsmen as one of

Variety Of Backgrounds Make Up Civil Rights Board

WASHINGTON, Nov. 9 (AP)—The six men appointed by President Eisenhower to the Civil Rights Commission don't have a lot in common—except that they're all Americans willing to take on a tough job.

Here, in brief, are the backgrounds these men bring to their work: *Jun 11-10-57*

Chairman Stanley F. Reed is a 72-year-old Kentucky-born Democrat who retired from the Supreme Court last Feb. 25 with the explanation he didn't want to stand the strain, since he had reached the age of 72.

Reed came to Washington in 1929 and was appointed to the Supreme Court by President



STANLEY F. REED

Franklin D. Roosevelt in 1938 after serving as solicitor general.

On his retirement from the court, Reed told reporters he thought the 9-0 decision against enforced racial segregation in the public schools was the most important case he had participated in, from a social standpoint.

Last month, in a speech to the State Bar of California, he noted the controversy stirred up by the court's civil rights decisions and commented: "Fortunately wrong decisions are not irremediable."

Only chaos can result from misuse of power in opposing court decisions, he said, but those who like them can seek a re-

Board



JOHN S. BATTLE

versal in court, or an amendment to the constitution.

Asst. Chairman John A. Hannah, 55-year-old president of Michigan State University, has previously been in Washington as an assistant secretary of defense for manpower and personnel.

The White House listed Hannah as a Republican but he said "I don't claim to have any party at all."

Hannah once served as president of the International Baby Chick Assn., and also worked at one time for the agriculture department.

Of his new assignment, he said: "This problem of civil rights has



ROBERT G. STOREY

had a lot of consideration from a lot of very able people for a very long time. I have no magic solution. It's a very important problem. I have agreed to do my best to help meet it anyway I can."

The Rev. Theodore M. Hesburgh, president of the University of Notre Dame, is catalogued as a political independent.

He was born in Syracuse, N.Y., 40 years ago, the son of a plant manager for a glass company. He entered the Order of the Congregation of the Holy Cross in 1934 and was ordained a priest in 1943.

Father Hesburgh became assistant professor of religion at Notre Dame in 1948, executive vice



JOHN A. HANNAH

president in 1949 and president in 1952.

He served as a chaplain with the Army in World War II.

J. Ernest Wilkins, 63, the only Negro on the commission, has been an assistant secretary of labor since 1954.

Missouri-born, he was the son of a Baptist minister. He made Phi Beta Kappa at the University of Illinois and took his law degree at the University of Chicago.

He began the practice of law at Chicago in 1921 and in 1941-42 was president of the Cook County Bar Assn. Wilkins has also been active in church work, serving now as president of the Judicial



J. ERNEST WILKINS

Council of the Methodist Church of America.

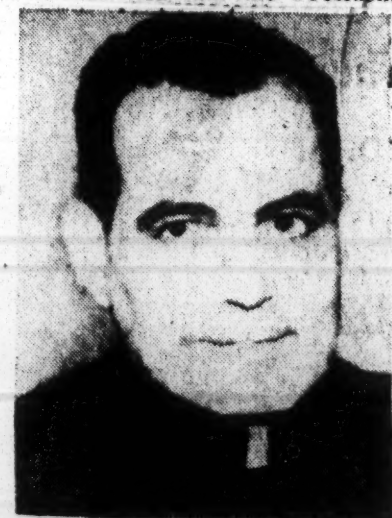
John S. Battle, 67, is a North Carolinian who became governor of Virginia.

Battle has been practicing law at Charlottesville, Va., since 1921, served in the State House of Delegates and in the State Senate. He was governor from 1950 until 1954.

An important achievement was his compromise plan which prevented a North-South breach at the 1956 Democratic National Convention.

Of his new assignment Battle said:

"I was told that the President



REV. T. M. HESBURGH

wished to appoint someone with the strong Southern viewpoint which I have.

He said he hopes to contribute to a better understanding of a problem which is disrupting our country. *Advertair*
Jun 11-10-57

Robert G. Storey, 63, dean of law at Southern Methodist University, Dallas, Tex., is listed as a Democrat.

He was graduated from the University of Texas in his native state in 1914 and became a city attorney, an assistant state attorney general and a delegate to the 1932 international convention at The Hague on comparative law.

Storey has been president of the Dallas, Tex., and American Bar Assn., the last in 1952-53.

Former Justice Reed Civil Rights Chairman

WASHINGTON, Nov. 7 (UP)—President Eisenhower named his long-awaited bipartisan commission on civil rights today and designated former Supreme Court Justice Stanley F. Reed as chairman of the group.

The President also named former Assistant Defense Secretary John A. Hannah, now president of Michigan State University, as the vice chairman of the six-member group, which was established by the civil rights law enacted by Congress earlier this year.

Battle Included.

Others named to the commission were former Gov. John S. Battle of Virginia; the Rev. Theodore M. Hessburg, president of the University of Notre Dame; J. Ernest Wilkins, former Negro assistant secretary of labor; and Robert G. Storey, dean of the law school at Southern Methodist University in Texas.

The President's choices are subject to Senate confirmation when Congress re-convenes in January. Meantime, the White House said, the six will be given recess appointments so they can begin work immediately.

Commission's Powers.

Under the law, the commission is authorized to investigate alleged violations of minority voting rights, to study other civil rights abuses, and to make recommendations to Congress and the White House for improving racial relations.

The President recently told a news conference he wanted a commission composed of men of national reputation representing all points of view on the racial issue so that its findings would be respected by the entire country.

Initial congressional reaction appeared generally favorable, with some senators saying that the President apparently achieved his objective. But Rep. Ralph Scott D-NC complained that the commission appeared "heavily weighted for integration."

Reed is a native of Kentucky, who served on the Supreme Court for 18 years before his retirement last year. Prior to his judicial service, he served as solicitor general and coun-

sel to several government agencies in the Roosevelt administration.

He joined the Eisenhower administration. He served in the Defense Department in 1953 and 1954.

Battle served as Democratic governor of Virginia from 1950 until 1954. He is a native of North Carolina, but has been active for years in political and legal affairs in Virginia.

In Charlottesville, Va., Battle said he accepted the appointment in order to bring "the strong southern view" on racial relations to the commission's deliberations.

The 63-year-old Wilkins had a long legal practice in Chicago before joining the Labor Department. He is a native of Missouri.

Father Hessburg has long been regarded as one of the most prominent Catholic educators in the country.

Storey, a 64-year-old native of Texas, is a former president of the American Bar Association's House of Delegates. He served with distinction in the Army during both World War I and World War II.

The President's choices received a generally favorable reception among key lawmakers, although some Southerners seized the opportunity to renew their attacks on the whole idea of a civil rights commission.

Sen. Albert Gore (D-Tenn.) said the President's appointments "appear to be a group of distinguished Americans."

Gore's colleague, Sen. Estes Kefauver (D-Tenn.), a member of the Judiciary Committee which will consider the nominations, commented that "this appears to be a well balanced commission."

Rep. Carl T. Durham (D-NC) commented that "Battle is a good man."

Rep. James C. Davis (D-Ga.) declined to comment on the appointments. But he added:

"Of course, I am unalterably opposed to any civil rights commission, and I fought it as vigorously and as long as I could. The whole thing is outrageous, totally unnecessary, and can result in no good either for Negroes

or whites."

In Columbia, S. C., Gov. George Bell Timmerman Jr. warned bluntly that the commission "will receive no cooperation from my office."

Reed was a member of the high court when it handed down its controversial 1954 decision outlawing segregation in the public schools of the South.

Hannah, a 55-year-old native of Michigan, had a distinguished education career before he

Publishers Point To Competency Of Many Americans

BY LOUIS LAUTNER

WASHINGTON, D. C. — (NNPA)

The naming of J. Ernest Wilkins, Assistant Secretary of Labor, as a member of the newly created Civil Rights Commission brought criticism of the lack of geographical distribution of colored persons picked for top spots in the Eisenhower Administration.

Personally, Mr. Wilkins is very highly regarded. He won honors as a student at the University of Illinois, distinguished himself as a member of the bar in Chicago as a layman in the Methodist Church he rose to be secretary of its Judicial Council and attracted the attention of Secretary of Labor James P. Mitchell while he was serving as vice chairman of the President's Committee on Government Contracts.

But there was general widespread feeling that there are other colored persons competent to serve in high Government positions than Mr. Wilkins.

VIEW OF PUBLISHERS

This feeling was the general view of a group of publishers who met in Washington the day after the White House announced the appointments of members of the commission.

A quick survey of persons holding Presidential appointments appears to support this criticism.

Of seven colored persons holding



STANLEY F. REED.

Presidential appointments requiring Senate confirmation, three of them are from Illinois, and a fourth attended the University of Illinois and practiced law in Chicago before taking a job in Missouri.

The three Illinoisans holding Presidential commissions are Mr. Wilkins, Richard L. Jones, United States Ambassador to Liberia, and Genoa Washington, Alternate Representative to the United Nations General Assembly.

RICHARDSON APPOINTMENT

Judge Scoval Richardson of the United States Customs Court was originally appointed by President Eisenhower as a member of the Federal Parole Board from Missouri. After serving as chairman of that board, he was appointed to the Customs Court.

Judge Richardson received his bachelor of arts and master's degrees from the University of Illinois and his law degree from Howard University. After practicing law in Chicago, he accepted the post of associate professor of law at the Lincoln University Law School in St. Louis where he later became dean.

The only other colored persons holding statutory positions are Walter A. Gordon, Governor of the Virgin Islands, whose home is in Alameda, Calif.; Leon P. Miller, United States Attorney for the Virgin Islands, and Brig. Gen. Benjamin O. Davis, Sr. (retired), who is a member of the American Battle Monuments Commission.

These seven appointments to

statutory positions requiring Senate confirmation are relatively so small in number that they almost approach zero.

In naming Mr. Wilkins to the Commission, President Eisenhower apparently had an eye peeled toward the Senate Judicial Committee, of which Senator James O. Eastland, Dixiecrat, is chairman, and Senators Olin D. Johnson of South Carolina, John L. McClellan of Arkansas, and Sam J. Ervin of North Carolina, all hostile to the civil rights bill while it was pending in Congress, are members.

Reports already are abroad that

Our Opinions

A Wrong Nomination

The Civil Rights Commission just appointed by President Eisenhower has a number of distinguished men on its panel and we hope that their counsel will prevail over the negativism of the Southern representatives.

The presence of former Gov. John S. Battle of Virginia on the Commission raises grave doubts in the minds of many who regard him as an uncompromising racist. What is distressing is the fact that Mr. Battle, a lawyer, is engaged in defending a Charlottesville, Va., school board decision to obstruct integration.

This fact was known before the nomination was made. Moreover, Mr. Battle was selected to argue the case in court because of his pronounced views on segregation. He himself said that he was named to the Commission because he is irrevocably opposed to integration. The question now is what consideration led the Administration to put him on the Commission? *We can think of*

many happier choices that might have been made without compromising or endangering the future of civil rights.

Though the Commission is an investigative body with subpoena power, it can make recommendations which may carry enough weight to cause their adoption. But beyond legislative approval of its findings, the body may well change the climate of segregative opinion currently rampant in the Southland.

However, it would have a slim chance of changing the views of Southerners who believe in racial separation if the Commission presents a divided front in its accounting to the President and subsequently to the public. Such a contingency is greatly enhanced by the presence of former Governor Battle on the Commission. The Administration would have shown greater wisdom had his name been left out of consideration. There is considerable meat in the saying that one rotten apple can spoil a whole barrel.

Six On Civil Rights

(From The New York Times)

President Eisenhower has rather remarkably well accomplished what he set out to do in finding men to serve on the new Civil Rights Commission. He said last week that he wanted representatives of "all types of thinking" and also that he wanted people "whose reputation is that of being of a judicial turn of mind."

The membership of the commission fulfills both specifications, which are not so contradictory as they might at first seem to be. President Eisenhower's six appointees are all respected citizens, and while their views on the problem of Negro rights certainly vary, none is known as an unreasonable man. The commission is distinctly "moderationist" in tone; and even its segregationist member, former Gov. John S. Battle of Virginia, is no wild extremist. Neither is its one Negro member, Assistant Secretary of Labor J. Ernest Wilkins. The chairman, retired Justice Stanley F. Reed of the Supreme Court, is cautious and conservative, but he did join his colleagues in the unanimous decision in the school segregation case of 1954, and he was the author of earlier opinions that helped pave the way for that historic document.

Nobody really knows yet what the Civil Rights Commission, set up under the law passed at the last session of Congress, is actually going to do. It has the clear responsibility of looking into denial of the franchise on racial grounds. But if it chooses, it can enter much broader areas, covering the whole question of "denial of equal protection of the laws" and the statutes and policies of the Federal Government designed to meet this situation. As an advisory body to the President, the commission can if it so desires become a tremendous force toward the creation of a clear and coherent Federal policy on this toughest—and most delicate—of all our primarily domestic problems.

We hope that the commission will not follow the timid road, but will instead take a liberal view of its duties and dare to assume a badly needed position of constructive non-partisan leadership.

Sees "Powerful Support" From Civil Rights Commission

WASHINGTON, D. C. — (NNPA) — The newly-created Civil Rights Commission can give "powerful support" to law-abiding millions in the South who, regardless of their feelings about integration, have displayed a fundamental respect for constitutional authority and the decencies of American life, B'nai B'rith said this week.

The Jewish service organization sponsored a two-day youth conference as part of a dedication program for the B'nai B'rith Building, new eight-story organizational headquarters here.

In one of several resolutions adopted at its 114th annual meeting, B'nai B'rith called upon the new Commission "to begin its labors without delay" and "vigorously expose those irresponsibles, small in number, who have been encouraging violence and disorder for the purpose of preventing enjoyment by Negroes of their constitutional rights."

"It is tragic," B'nai B'rith declared "that the clamor of racists and extremists" have been permitted "to drown out the voices" of the South's law abiding citizens.

ABILITIES SQUANDERED

Discrimination in education, inadequate training programs by industry and "shirt-sighted" employment policies which exclude potential workers on the "artificial grounds of age, sex, race and religion are squandering the best abilities of millions of citizens," Secretary of Labor James P. Mitchell said Saturday night.

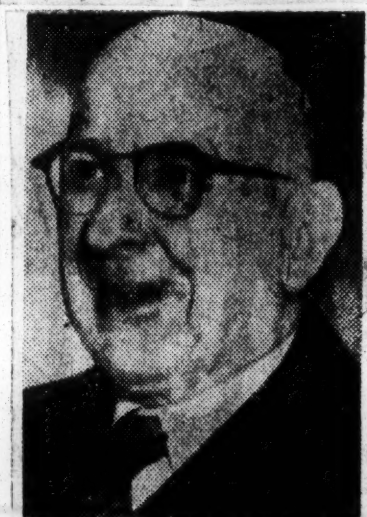
Forecasting a need for 10,000,000 additional workers by 1965 to achieve a 40 per cent increase in the gross national product, Mrs. Mitchell told the B'nai B'rith national conference on youth that the nation "must abandon catch-as-catch-can manpower policies" which are creating an imbalance in the work force.

"So long as the educational opportunities of the Negro child are inferior . . . apprenticeship courses are sometimes closed to minority workers . . . on-the-job training is withheld from them and from women and older workers . . . sex

or age or race are in themselves, barriers to employment, then just that long are we squandering the best of the ability of millions of citizens," he said.

Vice President Richard M. Nixon and Mrs. Eleanor Roosevelt were principal speakers Sunday at the ceremonies dedicating the new B'nai B'rith headquarters building.

Reed Expects Rights Trouble He's Ready



JUSTICE STANLEY REED
WASHINGTON, Nov. 8.—Former Supreme Court Justice Stanley F. Reed looks for "plenty of trouble" ahead for the new Civil Rights Commission he has been named to head.

He was one of nine justices who by unanimous decision in 1954 declared racial segregation in the public schools unconstitutional.

Reed Heads Group.

The Kentucky-born Democrat, who will be 73 next month, has been named by President Eisenhower to head the six-member commission in a two-year study of civil rights problems.

Last Feb. 25, Justice Reed stepped down from the Supreme Court where he had served for 19 years, because he said it no longer seemed wise to continue "the strain of unremitting exertion" required by his court duties.

Last night, Justice Reed, smiling and looking fit, stepped from a plane at Washington's National Airport to learn that the President had announced his return to a new government post.

He Expects Trouble.

He was just coming back from a rules committee meeting of the American Bar Assn. at Louisville, Ky. He was still working on judicial matters.

Asked if he foresaw difficulties ahead in his new job, he replied, "I'm sure we'll have plenty of trouble." But he

seemed quite content to face whatever it might be.

He was appointed to the Supreme Court in 1938 by President Roosevelt after a career in government work that included service as solicitor general—the government's chief lawyer before the Supreme Court.

Justice Reed told newsmen at the time that he considered the school segregation decision the most important from a social standpoint.

In a recent speech to the California State Bar, he noted the controversy stirred up by the court's civil rights decisions and commented that "fortunately wrong decisions are not irremediable."

Only chaos can result from misuse of power in opposing court judgments, he said, but those who dislike a decision can seek amendment of the Constitution or a court reversal of the decision.

Wife Had No Inkling.

His wife, the former Winifred Elgin, heard the news of

her husband's latest appointment on a news broadcast late yesterday afternoon. She said she had no inkling that he was to get a new job.

The other members given recess appointments yesterday—and subject to Senate confirmation next year—are:

John A. Hannah, former assistant secretary of defense, now president of Michigan State University.

John S. Battle, former governor of Virginia, who helped greatly in drafting the compromise civil rights plank at the last Democratic national convention.

J. Ernest Wilkins, Negro of New Hampshire, a former assistant secretary of labor.

The Rev. Theodore M. Hesburgh, president of Notre Dame University.

Robert G. Storey, dean of the law school of Southern Methodist University, Dallas.

The President also has yet to appoint the new assistant U.S. attorney general for civil rights, whose job was created by the same law that provided for the commission.

Several Negroes Considered For Civil Rights Commission Staff

By Alice A. Dunnigan

Washington (ANP) — The Administration is busy interviewing prospective staff members for the Federal Civil Rights Commission.

Several Negroes are being considered for top spots on the commission staff. While the exact number of staff members has not been determined, it is likely that the Commission will consist of a director, an assistant director, two or three good attorneys and perhaps an expert in the field of sociology or psychology. In addition, there will be a need for clerical help.

It is expected that the staff members will be selected within a few days so the commission can move off in high gear.

Val Washington Pleased

In commenting on the six men recently appointed by the President to serve on the commission, Val Washington, Director of Minority Affairs, Republican National Committee, said he was highly pleased at the appointees.

"I just love it (the commission)," said Washington. "I think it is as good as you can get. There are four Grade-A lawyers on the Commission and J. Ernest Wilkins is one of them." He said Wilkins was selected because he is a good lawyer, because he has had experience on commissions and because he has done a terrific job.

It had been said that the Senate would not confirm a Negro member of the Commission, continued Washington. Pointing out that Wilkins has already been confirmed by the Senate twice, they will have no excuse to refuse his confirmation this time. "If they do they will be in trouble because it will obviously be a case of discrimination because of race."

Little Skeptical

Elmer Henderson, an associate counsel on the Democratic controlled House Committee on Government Operations, appeared a little skeptical about the Commission. "I cannot say I disapprove the appointees to the Commission," he

said, "neither can I say I approve them." He pointed out that it was a conservative group and he would like to have seen some people appointed who had been a little more active in the field of civil rights. But, he added with a degree of optimism "I am hopeful that the Commission will do a good job."

Dr. George Johnson, Dean of the Howard Law School, observed that the men appointed to this Commission are of a substantial standing in this country. "They are in a position to do much to create a better environment in which desegregation in education will be much more acceptable than it is now," he added.

Willingness Necessary

Then with a great deal of emphasis Dean Johnson stressed that "much will depend on the willingness of the commission to call on the non-legal resources, such as social scientists, political scientists, and psychiatrists because the final solution of the problem is one of creating an atmosphere wherever compliance will be regarded as proper."

Dr. Paul Cooke, Professor of English at D. C. Teachers' College and consultant for the American Council on Human Rights, pointed out that ACHR had urged the appointment of at least one Negro on the Commission. He referred to the group as an "admirable selection" and expressed confidence that "Mr. Wilkins and the other men of the Commission will work diligently to expose and report racial discrimination."

Civil Rights Commission

The Democratic strategists have made a justifiable criticism that the President should by now have appointed the members of the six-person Civil Rights Commission authorized by the Civil Rights Acts of 1957.

It seems to us that sufficient time has elapsed in which to choose the personnel of this vital fact-finding body and so to get it launched on its business, and we wonder why there has been such tardiness.

Mr. Eisenhower says he contemplates naming one or two Southern leaders to the Civil Rights Commission, but we hope that is not taken to mean white Southerners.

It is noticeable that it has become the habit in speaking of Southerners to imply that only white Southerners are meant; but we should like to point out that one-third of the Southerners are colored, and should certainly have representation on the commission since they are the people most deeply involved in the question of civil rights.

The President is represented as being "markedly understanding of the orthodox Southern point of view," but there happen to be two orthodox points of view in the South: i.e., that of the Ku Klux-White Citizens Council and that of the colored citizens who have suffered most and contended longest for civil rights.

We do not think the commission should be packed with members who are going to lean over backward to appease the reactionary elements in Dixie at the expense of moderate whites and the Negroes who are under the gun of ante-bellum racial prejudices.

President Picks Retired Court Justice To Head Rights Group

WASHINGTON, Nov. 7 (AP) — President Eisenhower today picked Stanley F. Reed, retired Supreme Court Justice, to be chairman of the new Civil Rights Commission.

Eisenhower also made these other appointments to the six-member commission:

John A. Hannah, president of Michigan State University and a former assistant secretary of defense, vice chairman of the commission.

John S. Battle, former governor of Virginia.

J. Ernest Wilkins, an assistant secretary of labor and a Negro.

The Rev. Theodore M. Hesburgh, president of Notre Dame University.

Robert G. Storey, dean of the law school at Southern Methodist University in Texas.

The recess appointments are subject to Senate confirmation when Congress reconvenes in January. Formal nominations will be sent to the Senate at that time.

Reed was one of the nine Supreme Court justices who unanimously declared in May 1954 that segregation of public school pupils on grounds of race was unconstitutional.

Under the civil rights law enacted by Congress and approved by Eisenhower last August, not more than three members of the new commission may be members of the same political party.

The White House listed Reed, Battle, and Storey, as Democrats, Hannah and Wilkins as Republicans and Father Hesburgh as a political independent.

The commission will have a full-time staff director to be appointed by the President and confirmed by the Senate. A selection for that position has not yet been made.

By the law, the commission is empowered to investigate allegations of denial of voting rights, and to collect general information on denial of equal protection of the laws.

The commission also has sub-

poena power and is authorized to hold open or closed meetings. It is required to submit a final report and recommendations to the President two years after presidential signing of the bill, or in August 1959.

Each commission member is to be paid \$50 a day for each day he puts in on commission duties, plus \$12 a day for subsistence. The staff director is to get \$22,500 a year.

The civil rights law authorizes appointment of a new assistant attorney general in charge of civil rights matters. In reply to a question today, associate White House press secretary Anne Wheaton said she looks for announcement of that selection soon.

Reed, who will be 73 next month, retired from the Supreme Court last Feb. 25.

He could not be immediately reached regarding what plans he



STANLEY F. REED
Supreme Court Ex-Justice

may have for getting the commission launched on its work.

Reed arrived in Washington by plane tonight. He said he was surprised that the appointment had been announced.

"I'm sure we'll have plenty of

trouble," Reed said when asked if he foresaw difficulties ahead in the new job.

Among the first to congratulate Reed on his appointment was Supreme Court Justice and former Atty. Gen. Tom Clark who had accompanied Justice Reed on the plane flight from Louisville, Ky. where both men had attended an American Bar Assn. committee meeting on rules.

Reed said he had no immediate plans in mind for getting the new commission into operation. He was not even sure who had been named by the President to serve with him on the six-member commission. When told by a reporter that the political line up would be three Democrats, two Republicans and one independent, Reed said smilingly, "Three Democrats is always a good division."

Democrats had been prodding Eisenhower to hurry up and name the commission. At a news conference last week the President said it was difficult to get top-flight men. He said he was looking for members who would represent the whole spectrum of American life.

Eisenhower expressed hope at the time that selection of the commission members and operation of the study group would help to ease the controversy over civil rights, particularly as it affected school integration.

In one of his most recent speeches, at Monterey, Calif., Reed took note of the controversy stirred up by the high court's civil rights decisions and commented "fortunately wrong decisions are not irremediable."

He told the State Bar of California that only chaos could result from misuse of power in opposing judgements "contrary to our own views." But he emphasized that people who dislike Supreme Court decisions can seek amendment of the Constitution or a court reversal.

First reaction to the appointments was favorable. Sen. O'Mahoney (D-Wyo), who supported the

bill creating the commission, said the appointees are "men of talent and ability."

"They ought to be able to submit a helpful report on civil rights problems if confirmed," O'Mahoney added. "I do not commit myself to vote for every one of them until I look at the record."

EX-JUSTICE TO HEAD RIGHTS COMMISSION

Eisenhower Picks Stanley Reed As Chairman—Two Southerners Chosen

By The Associated Press

WASHINGTON, Nov. 7. — President Eisenhower Thursday picked Stanley F. Reed, retired Supreme Court justice, to be chairman of the new Civil Rights Commission.

Mr. Eisenhower also made these other appointments to the six-member commission:

Dr. John A. Hannah, president of Michigan State University and a former assistant secretary of defense, vice chairman of the commission.

Virginian Is Chosen

John S. Battle, former governor of Virginia.

J. Ernest Wilkins, an assistant secretary of labor and a Chicago Negro.

The Rev. Theodore M. Hesburgh, president of Notre Dame University.

Dr. Robert G. Storey, dean of the Law School at Southern Methodist University in Texas.

The recess appointments are subject to Senate confirmation when Congress reconvenes in January. Formal nominations

will be sent to the Senate at that time.

Reed was one of the nine Supreme Court justices who unanimously declared in May, 1954, that segregation of public school pupils on grounds of race was unconstitutional.

Under the Civil Rights Law enacted by Congress and approved by Mr. Eisenhower last August, not more than three members of the new commission



Stanley F. Reed

may be members of the same political party.

The White House listed Reed, Battle and Storey as Democrats, Hannah and Wilkins as Republicans and Hesburgh as a political independent.

Other Posts Open

The commission will have a full time staff director to be appointed by the President and confirmed by the Senate. A selection for that position has not yet been made.

By law, the commission is empowered to investigate allegations of denial of voting rights, and to collect general information on denial of equal protection of the laws.

The commission also has subpoena power and is authorized to hold open or closed hearings. It is required to submit a final report and recommendations to the President two years after presidential signing of the bill, or in August, 1959.

Each commission member is to be paid \$50 a day for each

Board Will Look Into Plans Used To Evade Constitution

Retired Justice of Supreme Court To Head Group Expected To Expose All Cases of Disfranchisement In All States; Fight Expected From Politicians Who Have Evaded Constitution To Deprive Negroes of Civil Rights Down South

President Eisenhower continued in his role of wise statesman in the care he used in appointing his 6-member Civil Rights Commission.

Even in his decision to appoint former Governor John S. Battle of Virginia a member of the commission, the President was eminently fair and realistic.

The State of Virginia is not one of the backward states of the South, and whereas it is represented as a state under domination of the "Byrd Machine" it is not known that this machine goes about garnering votes in the grand manner we hear so much about as being characteristic of Louisiana and some others of the "backward" states.

But credit the President with being fair and realistic in the highest degree in naming the Hon. Stanley Forman Reed as chairman of the committee.

The fact that Mr. Reed was one of the noble nine members of the Supreme Court which dealt a death blow to the old Plessy vs. Ferguson decision of 1896 that so definitely served the purpose of scofflaw elements of the South for more than a half-century, makes all good Americans believe that Mr. Reed will see to it that the commission will be eminently fair in its purpose to enfranchise the "dispossessed" citizens in all states where dishonest politicians employ disfranchisement as their means of getting and retaining office.

Reed Was Unbeatable

Mr. Reed, though a Democrat, was unbeatable as a candidate for the state legislature of Kentucky, from Republican the County of Mason, of which Maysville is the county seat, many years ago. Colored citizens, regardless of party affiliation voted for him. He held office under President Hoover in Washington, before his appointment to the U. S. Supreme Court by President Roosevelt.

The full list of the members of the Civil Rights Commission—six in all—is as follows:

Mr. Stanley F. Reed, of Kentucky, Chairman; The Rev. Theodore M. Hesburgh, president of

the North or with the South and fought valiantly, as disagreeing brothers of the same family.

The Supreme Court of 1954, merely gave the right interpretation of the 14th Amendment. In doing so, it had to set at naught the spurious decision of "separate but equal" which the Supreme Court of 1896 had laid down as the law of the land.

The Supreme Court of 1896 made a ruling against a whole race of people and thereby ignored the "rights of the individual," which the Supreme Court of 1954 patiently strove to vouchsafe for all citizens.

While Messrs Stanley Reed and Co., are not called upon to make any ruling pertaining to school segregation, they are called upon to handle a matter even more important. It is the right of a citizen to vote freely in all states and to have his vote counted as cast.

It is fortunate that citizens in most states have the right to vote in all elections and victors in the various contests can generally say that the people chose them to office. It is true that in several states there are men being elected as governors, congressmen, and U. S. Senators who are in office simply because they had been successful in robbing many citizens of their precious right to vote.

Swaggering Politicians

Most of these swaggering politicians have thrived so long with the help of disfranchisement, that they are not going to submit quietly to the new order of the day: voting by all the people of their states.

One can expect protests and filibustering in congress against most of the individuals President Eisenhower has named on the Civil Rights Commission.

One can expect that down in the states the wily politicians will be studying up ways to keep citizens from voting after being registered. That was done on a wholesale basis in 1956, down in Louisiana.

Mr. Olney's Report

On October 10, 1956, the Hon. Warren Olney, III Assistant Attorney General of the U. S., revealed for the benefit of the Senate Committee on Privileges and Elections the rottenness of the way elections are carried out in Louisiana. In his opening statement of an exhaustive statement, Mr. Olney said the following:

"No study of the political practices followed during the 1956 Presidential and Senatorial election could possibly be adequate or complete without including the mass disfranchisement in certain com-

munities by unconstitutional means of thousands of legally registered voters. It presents a problem of major concern to the whole nation and would appear to lie within the investigative jurisdiction of the Senate Subcommittee on Privileges and Elections.

"On January 17, 1956 there were approximately 4,000 persons of the Negro race whose names appeared on the lists of registered voters of Ouachita Parish. It would appear that these persons were and are citizens of the United States, possessing the qualifications requisite for electors under the Constitution and the laws of Louisiana and of the United States, because a system of permanent voter registration provided for under the laws of Louisiana was in effect in Ouachita Parish and all of these persons had registered and qualified for permanent registration and had been allowed to vote in previous elections."

This lengthy account of vote stealing from Negro citizens is contained in the April 1957 issue of "Race Relations Law Reporter" which is published in Nashville at Vanderbilt University.

Presumably Mr. Olney, the investigator for the U. S. Department of Justice, will still be an Assistant Attorney General when the Civil Rights Commission goes to work and be available for testimony about the way they steal the votes of Negro citizens in Louisiana and possibly in other States where the politicians arbitrarily manipulate elections to keep Negroes from registering and voting but freely allow all white citizens to vote.

The "Reds" Know It All

Of course the "Reds" know all about crooked elections in the United States and are exposing everything they know bad about the U. S. as a means to win converts among darker people all over the world.

Vice President Richard M. Nixon already has made trips around the world and told how nations abroad are giving Uncle Sam a bad name in their flow of anti-American propaganda, circulated among other nations.

Both President Eisenhower and Vice President Nixon are doing their level best to arouse the American people to action against the scofflaw politicians of the backward states.

Verily, Mr. Stanley Reed and the other eminent Americans on the Civil Rights Commission, "have their work cut out for them."

See New Rights Unit As A Power

WASHINGTON—(INS) — B'nai B'rith said recently the newly created Civil Rights Commission can give "powerful support" to "law-abiding millions in the South" who have displayed a fundamental respect for constitutional authority.

The Jewish service organization urged the new commission "to begin its labors without delay" and "vigorously expose those irresponsible... who have been encouraging violence and disorder to deprive Negroes of the constitutional rights."

In one of several resolutions adopted at its 114th annual meeting, B'nai B'rith said, "It is tragic that the clamor of racists and extremists" have been permitted "to drown out the voices" of the South's law-abiding citizens.

In Other Resolutions, B'nai B'rith: condemned "the growing tendency" toward sectarian religious instruction in public schools.

It said the trend results "both in a weakening of the public school and a watering down of religion," and called instead for greater emphasis on worship in the home and in churches and synagogues.

Criticized the 85th Congress for failing to deal with "fundamental inequities" in the McCarran-Walter act, pointing out that in the critical world situation "immigration need not be a burden, but can be a source of economic and scientific strength for our nation."

Meanwhile, the director of the B'nai B'rith Hillen Foundations has predicted a widespread growth of two-year junior colleges to ease the growing shortages in higher education facilities.

White Gets Civil Rights Post

WASHINGTON, Nov. 25 (AP) — President Eisenhower today picked Wilson White of Philadelphia to head the new civil rights division in the Justice Department subject to approval by the Senate.

White is already an assistant attorney general, in charge of legal counseling, and had been reported previously to be in line for the civil rights post. However, there had been hints that Eisenhower might seek to bypass the Senate on any vote of confirmation and merely shift White from one assistant attorney generalship to another.

Those reports, which had stirred up Southern criticism, were disposed of by the White House announcement that the Senate would be asked to pass on the nomination.

Mrs. Anne Wheaton, associate presidential press secretary, said that both Eisenhower and White felt the selection should be passed on by the Senate because of the importance of the job.



WILSON WHITE

As assistant attorney general heading the civil rights division, White would handle lawsuits alleging interference with Negroes' voting and other rights. The job was created in the civil rights bill passed last session by Congress. Southern critics of that law, including Sens. Thurmond (D-SC) and Stennis (D-Miss) have said

they would want a full hearing on any nomination for the position. The committee in charge of such a hearing would be the Senate Judiciary Committee, headed by Sen. Eastland (D-Miss), another opponent of the new civil rights legislation.

White is reported to have done much of the work backgrounding Eisenhower's actions in the integration troubles at Little Rock, Ark. These culminated in the sending of federal troops there to enforce a court order requiring integration of Negroes and whites at the city's Central High School.

White is a partner, in his father's law firm, with Rep. Hugh Scott of Pennsylvania. He lives in the Chestnut Hill section of Philadelphia, a fashionable neighborhood in which Sen. Clark (D-Pa) also lives.

Ike Accepts Rights Chief's Resignation

NEWPORT, R. I. — (INS) — President Eisenhower accepted the resignation of Warren Olney III. as assistant attorney general yesterday and praised Olney's work in the field of civil rights.

Olney has served since 1953 as chief of the criminal division of the justice Department, which has the responsibility of prosecuting civil rights violators.

He will leave the post on Oct. 15.

He said he was resigning for compelling personal reasons and to "clear the way" for the organization of the separate civil rights division in the Justice Department created by the recently passed civil rights bill.

Mr. Eisenhower lauded Olney's "highly dedicated service, particularly in the field of civil rights."

SENATE WILL REVIEW CIVIL RIGHTS CHOICE

President Selects White, Decides Not To Bypass Judiciary Hearing

By The Associated Press

WASHINGTON, Nov. 25. — President Eisenhower Monday picked Wilson White of Philadelphia to head the new Civil Rights Division in the Justice Department subject to approval by the Senate.

Mr. White is already an assistant attorney general, in charge of legal counseling, and has been reported previously to be in line for the civil rights post.

However, there had been hints Mr. Eisenhower might seek to bypass the Senate on any vote of confirmation and merely shift Mr. White from one assistant attorney generalship to another.

Those reports, which had stirred up Southern criticism, were disposed of by the White House announcement the Senate would be asked to pass on the nomination.

Mrs. Anne Wheaton, associate presidential press secretary, said both Mr. Eisenhower and Mr. White felt the selection should be passed on by the Senate because of the importance of the job.

As assistant attorney general heading the Civil Rights Division, Mr. White would handle lawsuits alleging interference with Negroes' voting and other rights. The job was created in the civil rights bill passed last session by Congress.

Southern critics of that law, including Senators Strom Thurmond (D., S. C.) and John Stennis (D., Miss.) have said they would want a full hearing on any nomination for the position. The committee in charge of such a hearing would be the Senate Judiciary Committee, headed by Senator James Eastland (D., Miss.), another opponent of the new civil rights legislation.

Mr. White is reported to have done much of the work backgrounding Mr. Eisenhower's ac-

tions in the integration troubles at Little Rock. These culminated in the sending of Federal troops there to enforce a court order requiring integration of Negroes and whites at the city's Central High School.

Mr. White is a partner, in his father's law firm, with Representative Hugh Scott of Pennsylvania. He lives in the Chestnut Hill section of Philadelphia, a fashionable neighborhood in which Senator James Clark (D., Penn.) also lives.

Now 51 years old, Mr. White is a graduate of Harvard University and the University of Pennsylvania Law School and a veteran of Navy service in World War II.

The White House action was an announcement, rather than an actual appointment. The appointment itself is expected shortly.

Mr. White said he would continue in his present post until his successor is chosen. It was indicated this selection has been made because Mr. White said in answer to a question he might be sworn in on the new recess appointment next week.

Turns Aside Questions

He turned aside questions about his "basic philosophy" on civil rights, asserting:

"I do not think it would be proper to go into this at this time. I think the Senate Judiciary Committee has the right to ask the questions and get the answers first."

Mr. White recalled that as United States attorney in Pennsylvania, he had handled some civil rights complaints, principally into allegations of police mistreatment. However, he said nearly all of these cases had been settled around the conference table and noted that "I have never tried a civil rights case in court."

Budget Bureau plans for the new division, Mr. White said, call for an initial force of about 60 persons, of whom half would be practicing lawyers. The new division will have to live on funds borrowed from other Justice Department divisions until Congress provides it with a regular appropriation.

Mr. White said the attorney general had given him a free hand in selecting his staff, and that the nucleus would be drawn from attorneys now in the civil rights section of the Criminal Division, and other department divisions.

Work To Begin Soon

The new civil rights law also provided for a bipartisan commission to investigate allegations of denial of voting rights because of race, religion or national origin. It was aimed primarily at Southern practices alleged to deprive Negroes of their voting rights.

Mr. Eisenhower named that commission Nov. 7. As chairman, he chose Stanley Reed, a retired Supreme Court justice. Mr. Reed said earlier this month the commission would get to work early in December.

Gains Made In Civil Rights Despite South

NEW YORK — Despite the resistance demonstrated in Arkansas and in other Southern areas to granting full equality to all citizens, a dozen states around the nation have made major civil rights advances in the past several months, it was revealed in a new survey just published by the American Jewish Congress.

Two states — Colorado and Wisconsin — amended their existing "voluntary" fair employment laws by creating effective enforcement procedures. A new fair employment law was adopted by the City of San Francisco.

Four states — Missouri, Washington, California and Illinois — enacted laws relating to discrimination in education. Missouri repealed its school segregation laws. The new Washington law makes it the fourth state to be covered by a broad fair educational practices law. (New Jersey, New York and Massachusetts already have such laws.)

Turning to the field of housing Massachusetts, Minnesota, New Jersey, Oregon and Washington — and the city of Los Angeles took legislative steps against discrimination in housing. With the exception of the Minnesota action, the new laws in the four states prohibit discrimination in publicly-assisted housing, including housing receiving assistance in the form of FHA or Veteran's Administration mort-

gage insurance. Minnesota set up a commission to study discrimination in housing during the next two years.

Five states Colorado, Illinois, Oregon, Vermont and Washington — passed laws in 1957 relating to discrimination in this use of public accommodations. Vermont now makes it illegal for any owner, operator or employee of an "establishment which caters or offers its services or facilities or goods to the general public" to discriminate among those wishing to use the facilities of such a place. The penalty is a fine of up to \$500, or 30 days imprisonment, or both. Colorado, Oregon and Washington modernized the enforcement features of their existing laws in this area.

Thirteen states now have fully effective fair employment laws. Four have laws broadly prohibiting discrimination in education, while a number of others have more limited legislation in that area. Twenty-five states, a majority of the union, have prohibited discrimination in places of public accommodation eight of these have provided for enforcement of these laws by effective administrative procedures. Six states have prohibited discrimination in a substantial portion of the housing market that portion covered by FHA and A insurance on mortgage loans.

"Perhaps the most significant aspect of the new statutes," the

survey emphasized, "is the continuing trend toward reliance on administrative procedures rather than criminal penalties to enforce anti-discrimination laws."

Reed, Heading Civil Rights Commission, Set For Gale

By International News Service

There's many a new storm brewing for former Supreme Court Justice Stanley F. Reed. But the Kentuckian, who will be 73 next month, has weathered the political gales with success for many years.

His newest job may pose his greatest challenge. As chairman of the new Civil Rights Commission he must deal with one of the most emotional issues on the national scene.

THE SIX-MEMBER commission must survey the entire field of civil rights in the next two years, investigating complaints, pondering court rulings and making recommendations for future action.

It is sure to be a strenuous time for Reed, who retired from the bench last February after 19 years of service, saying "the strains of unremitting exertion" no longer seemed wise.

REED WAS considered a new dealer when he was appointed to the court by the late President Roosevelt. But many of the notable opinions he authored in the ensuing years gave him a reputation as a conservative.

The justice said earlier this year that the most important decision from a social standpoint during that time was the ruling outlawing public school segregation—a ruling handed down by a unanimous court.

REED IS THE son of a physician, and a former member of the Kentucky State Legislature. In 1929 he began his U. S. Government career

as attorney for the Federal Farm Board. He rose to the position of U. S. Solicitor General before his appointment to the high court.

His retirement from active legal service didn't last very long. He was recently appointed a temporary replacement judge on the U. S. Court of claims.

HIS VIEWS ON segregation were made plain by the Supreme Court decision in which he joined, and they were amplified in a recent speech before a California State Bar Association meeting.

Reed reminded his audience that only chaos results from the misuse of power in opposing court decisions, and that "wrong" decisions can always be appealed or amended by the legislature.

HIT GOV. COLEMAN'S ALABAMA SPEECH ON CIVIL RIGHTS

MONTGOMERY, Ala., Sept. 4. —A former assistant to Harry Hopkins has attacked Gov. J. P. Coleman of Mississippi for defiance of the new civil rights bill.

In a speech at the 25th anniversary of the Highlander Folk School in Monteagle, Tenn., Aubrey Williams of Montgomery, former head of the National Youth Administration, said about Coleman:

"It is one thing for him to work and to advocate defeat of a civil rights bill, but it is quite another thing for him to defy the act and to plan with others who are officers of the peace, open defiance of what has become law.

"No reasonable person can describe such an act as anything else than a violation of his oath and a breach of the peace."

Mr. Rogers Is O. K.

The new U. S. Attorney General, William P. Rogers, is of the same type and determination as Herbert Brownell, so there is no need for the segregationists to rejoice over the latter's resignation.

On the issue of civil rights, the new 44-year-old former assistant of Mr. Brownell is quite straight and his being the chief law officer of the nation will give no comfort to the organized violators of the constitution who would turn the clock back a century.

Attorney General Rogers helped draft the civil rights bill passed this year and played a major role in steering it through Congress. He is O.K.

Action on Civil Rights

Eisenhower is determined that his new Civil Rights Commission shall be a body that gets things done—and not mere window dressing.

To establish its prestige, he plans to attend its first meeting (assuming, of course, that he's invited).

The President felt himself fortunate in the caliber of men who accepted appointment. Many Democrats and Republicans alike were reluctant to take so potentially troublesome a post. Among those who turned it down were Eleanor Roosevelt and James F. Byrnes.

But Sherman Adams and Richard Nixon—to whom the President delegated selection of the commission—produced an imposing list.

On the Democratic side were a retired Supreme Court Justice, Stanley Reed; a former governor of Virginia, John S. Battle; a law-school dean, Robert Storey of Southern Methodist University.

From Republican ranks came John A. Hannah, president of Michigan State University, and Assistant Labor Secretary J. Ernest Wilkins. Final member is an independent, the Rev. Theodore M. Hesburgh, president of Notre Dame University.

Northern Governors Summon Meeting On Own Racial Issues

Harriman, Williams Call Civil Rights Conference

ALBANY, N.Y., Nov. 7 (AP)—Two Democratic governors last night called for a 12-state conference on what they termed the North's "own special problems" in civil rights.

Gov. Averell Harriman of New York and G. Mennen Williams of Michigan invited governors of 10 other Northern states to meet Dec. 12 in New York City to draft an accelerated program against racial and religious discrimination.

Invitations went to Govs. Stephen McNichols of Colorado, Abraham A. Ribicoff of Connecticut, Foster Furcolo of Massachusetts, Orville L. Freeman of Minnesota, Robert Meyner of New Jersey, Robert D. Holmes of Oregon, George M. Leader of Pennsylvania, Dennis J. Roberts of Rhode Island, Albert D. Rosellini of Washington and Vernon W. Thompson of Wisconsin.

Thomson is a Republican. All the others are Democrats.

The Harriman-Williams invitation said a purpose of the conference would be an exploration of "the best methods for the removal of obstacles to equal opportunity and for the improvement of the status, education, employment and housing opportunities of minorities."

A joint statement by the two sponsoring governors said invitations had gone only to states with fair employment laws and "administrative machinery for their enforcement."

Harriman and Williams said in the invitation:

"Although the principal emphasis on the civil rights issue in recent months has been focused in the South, states in the North have their own special problems pressing for solution."

"We believe all the states with effective laws for the protection of ... minorities should at this time assess the situation in light of what they have accomplished to date and outline a program that will accelerate the fulfillment of their objectives."

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time assess the situation in light of what they have accomplished to date and outline a program that will accelerate the fulfillment of their objectives."

Civil-Rights Conference Planned

12 Governors May Attend

ALBANY, N.Y., Nov. 7 (AP)—The governors of New York and Michigan plan a 12-state conference next month to attack civil-rights problems in the North and West.

Govs. Averell Harriman and G. Mennen Williams, both Democrats, yesterday invited the governors of 10 other Northern states to meet December 12 in New York City to draft an accelerated program against racial and religious discrimination.

Harriman and Williams said in the invitation:

"Although the principal emphasis on the civil-rights issue in recent months has been focused in the South, states in the North have their own special problems pressing for solution."

These governors were invited: Stephen McNichols of Colorado, Abraham A. Ribicoff of Connecticut, Foster Furcolo of Massachusetts, Orville L. Freeman of Minnesota, Robert Meyner of New Jersey, Robert D. Holmes of Oregon, George M. Leader of Pennsylvania, Dennis J. Roberts of Rhode Island, Albert D. Rosellini of Washington and Vernon W. Thomson of Wisconsin.

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The governors said a purpose of the conference would be to explore methods "for the removal of obstacles to equal opportunity and for the improvement of the status, education, employment and housing opportunities of minorities."

The conference would provide a forum for exchange of information on the operation of the various state antidiscrimination programs and ways to improve them.

He declared that under the bill's hidden powers Federal authorities even could set aside state licensing laws on grounds of discrimination.

'Just One-Sided'

Senator Pat McNamara (D., Mich.) said he and other all-out backers of the bill "are confident that this compromise talk is just one-sided."

The Michigan Democrat, in one of the strongest attacks of the current debate, charged "the principal motive of the compromise seekers is to gut this bill of any effectiveness."

"The die-hard opponents of this legislation will vote against it" even if compromises render it totally ineffective, he said.

In another development, Senator Russell took the floor to reply to the argument that Southerners shouldn't mind being denied jury trials and tried by judges because most Federal judges in the South are Southerners, too.

Senator Russell noted that this applies nationwide, that almost all Federal judges are natives of the region they serve. But he wryly said he didn't want to emphasize this too much for fear it might spark a movement to abolish jury trials in all cases, throughout the country.

Senator Paul H. Douglas (D., Ill.) has pushed the argument.

Brushing it aside, Senator Russell said he could only ask: "How silly can you get?"

Proponents of Civil Rights Bill Divide Over 'Punitive' Section

WASHINGTON, July 14 (AP) —

Supporters of the administration's civil rights bill split today over the issue of scrapping a section which critics contend is aimed at "punitive" action against the South.

Sen. Anderson (D-NM) announced he is drafting an amendment paralleling one offered yesterday by Sen. Russell (D-Ga), captain of the bill's foes.

Anderson said his proposal would strike from the House-passed bill Part III. This authorizes the attorney general to seek federal court injunctions against violations or threatened violations of civil rights in general. Judges who issue the injunctions could enforce their obedience with fines and jail sentences without jury trials.

Voting Rights.

Anderson's amendment would not disturb another section permitting similar action in cases involving voting rights. President Eisenhower has said the protection of such rights is the primary objective of the legislation. Other sections of the bill would establish a civil rights commission to make a two-year study of civil rights problems, and create a Civil Rights Division in the Justice Department headed by an assistant attorney general.

Sen. Mundt (R-SD), describing himself as a "neutral" in the fight, announced yesterday he will offer a substitute bill which would strike out Part III and also include a so-called jury trial amendment if the South does not then cooperate to let them vote, it will not be difficult to amend the bill to put some enforcement teeth in it.

Mundt's plan also would restrict the subpoena powers of the proposed civil rights study commission.

Sen. Douglas (D-Ill), like Anderson a supporter of the House bill, said in a separate interview he will fight any effort to eliminate part III.

Would Resist.

"I shall resist any amendment," Douglas added. "The bill is okay the way it is. It is a moderate bill."

There were no concrete signs that removal of the controversial part III would ease strong Southern opposition to the bill. Sen. Ervin (D-NC) said in a CBS-TV

roundtable debate he couldn't conceive of any one amendment that would make it a "wise" measure.

"It can't be patched up enough to be palatable," Ervin said, adding that it was "the most monstrous bill ever proposed."

Sen. Eastland (D-Miss), who appeared with Ervin in debating against Sens. Case (R-NJ) and Carroll (D-Colo), ignored several questions about possible amendments to the bill.

Case said the civil rights bill is "an utterly appropriate measure" and he believes that within a month the Senate would pass a "reasonable" version.

Carroll said he was not as optimistic as Case about the bill's aim of guaranteeing civil rights. He said it was "only a first step," that it would take years to correct inequities that exist and Americans would have to exercise "patience and tolerance."

Anderson, who led an unsuccessful fight last January to eliminate filibusters by changing the Senate's rules, said he has become convinced the House bill is "too stringent."

"When millions of people in the South register opposition to this bill, as they have through their senators, it is time to stop and think about its enforcement," Anderson said. "We should remember prohibition as an example."

"I want the Negroes to vote and I believe that if Congress passes a bill guaranteeing them the right to vote it will be respected. But if the South does not then cooperate to let them vote, it will not be difficult to amend the bill to put some enforcement teeth in it."

Russell hailed Anderson's statement as "highly encouraging" in advance of a vote Tuesday by which the Senate is expected to bring the administration bill officially before it.

"Sen. Anderson is an acknowledged leader of the civil rights forces," Russell said. "I am encouraged when he agrees that punitive measures should not be taken against the South."

The Senate resumes debate tomorrow on a motion by Senate Republican Leader Knowland of California to take up the bill. Southern opponents, who blasted at the measure during six days of debate last week, seemed likely to consume most of the time until

the Senate votes, by unanimous agreement, late Tuesday.

Douglas, who has joined Sen. Javits (R-NY) and others in urging the bill's backers not to talk of compromise, said he thinks Part III of the bill should be preserved to provide additional methods of enforcement of the "good decisions" of the Supreme Court in civil rights matters, including school desegregation.

He scoffed at Southerners' contentions that these enforcement methods would entail "punitive" action against a whole section of the country. He said desegregation should be gradual.

Crusade Group Firm On Rights--Wilkins

Afro American Sat. 7-27-57 Baltimore, Md.

WASHINGTON — The 51 national church, civic, labor, fraternal and minority groups organizations affiliated in the Leadership Conference on Civil Rights are standing firm for enactment of the pending civil rights bill without any crippling amendments or deletions.

This was stated by Roy Wilkins, conference chairman and executive secretary of the NAACP, here this week at a press conference.

The conference followed a two-day session of representatives of the various organizations called here to stimulate support for the civil rights bill now being debated on the floor of the United States Senate.

REPRESENTATIVES OF the organizations also met with the bi-partisan group of Senators who are taking the leadership in the Senate to secure enactment of the measure which has already passed the House.

"We are opposed to any proposal to delete or substantively to change any provision in the bill as passed by the House," Mr. Wilkins said. "We are not opposed to necessary clarification of specific provisions," he added.

The civil rights leader expressed the opinion that enactment of Part III of the bill, deletion of which southern Senators are demanding, is essential.

HE POINTED out that recent legislation passed in southern states made it difficult, if not impossible, for colored citizens to initiate litigation to secure their rights under the Constitution and in accordance with rulings of the United States Supreme Court.

Mr. Wilkins cited as an example a law passed last spring by the Virginia Legislature which prohibits anyone other than the aggrieved person from financing or otherwise assisting law suits designed to secure implementation of the

Court's school desegregation protect other constitutional ruling. rights.

Having denied to colored citizens effective means of securing their rights, southern Senators are now trying to deny them the assistance of the United States Attorney General, he charged.

MR. WILKINS denied that Part III had been "sneaked" into the bill. "It was there from the first draft in 1956," he said.

"Its clear intent is and has always been to assist colored citizens in securing constitutional rights in addition to the right to vote. It was discussed at committee hearings and on the floor of the House before it was passed," he asserted.

The NAACP spokesman denied, in response to a reporter's question, that there was any issue of the use of Federal troops.

"Neither the NAACP nor any of the other organizations represented in the Leadership Conference has ever proposed the use of Federal troops to secure compliance with the Supreme Court ruling," he declared.

"Talk of bayonets and guns is inflammatory and not a real issue."

PROPOSALS TO provide for jury trials in contempt proceedings in equity cases, Mr. Wilkins said, would definitely make the bill ineffective. "Traditionally," he asserted, "such proceedings have been without jury trial."

"There are on the books many laws which do not provide for jury trials in contempt cases. Courts have long had the right to enforce their decrees in such cases."

SOME OF the Senators who are protesting now have voted for such laws.

The bill, he pointed out, has from the beginning been designed not only to protect the right to vote, but also to

"It is a distortion to make believe now that it was ever intended to be confined to voting rights only," he said.

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CIVIL RIGHTS

CONFERENCE, WASHINGTON, D.C.
February, 1957

Knowland Aims at March 1 To Get Ike's Civil Rights Before the Senate

Constitution Mon. 2-4-57 Atlanta, Ga.

WASHINGTON, Feb. 3 (AP)—Sen. Knowland (R-Calif) today put a March 1 target date on efforts to get President Eisenhower's civil rights program before the Senate for debate.

Knowland, the Republican leader, told reporters the senate may have to "wear down" an expected Southern filibuster against consideration of the bill if the necessary 64 affirmative votes can't be mustered to muzzle debate.

By whatever means the end is accomplished, he said he is confident that civil rights legislation will be enacted in this session of Congress.

"I hope we can get a bill reported to the Senate by the Judiciary Committee by the end of this month," he said. "As soon as the Middle East resolution is out of the way, then we ought to turn our attention to civil rights."

Democratic leaders were reported less optimistic than Knowland about early Senate action. They apparently believed the civil rights measure would not be brought up in the Senate until late in April.

Chairman Hennings (D-Mo) has ordered committee hearings on civil rights proposals beginning Feb. 12. Sen. Watkins (R-Utah), who voted against a proposal last week by Hennings to report a civil rights bill out of a Judiciary subcommittee without hearings, said he will oppose any effort to drag the hearings out.

The full Judiciary Committee is reported to favor action on civil rights legislation by an 11-4 margin.

Sen. Byrd (D-Va) served notice that Southerners are prepared to fight.

"We will make the best fight we are capable of making to prevent any action on these bills," Byrd said in an interview. "The proposal to permit taking civil rights suits directly into federal court is one of the most iniquitous ever made in Congress."

Under Eisenhower's proposals, the attorney general or even a private citizen could seek injunctions in federal courts to enforce school integration. Where injunc-

tions are granted, violators could be punished for contempt, without jury trial.

Rev. King sparks tempest in capital

BY SAMUEL HOSKINS

before it was revealed the President was going to Augusta, Ga.,

If the Administration propagandists intended for the news of the Montgomery arrests to blunt reaction to the President's refusal to speak, they missed their mark by a country mile.

Even before Mr. Eisenhower boarded his plane and headed toward Augusta, the howl went up that the Chief Executive chose to play golf in Georgia while bombs explode in Alabama.

In this connection, Representative Dawson, who prides himself for his ability "not to shoot off my mouth," was furious. "The least any President can do," he said, "is to lend the power of his office—the spiritual side of the Presidency—to support law and order."

The GOP has played footsie with the worst elements of the South ever since the Hayes-Tilden deal, he declared.

He said the real reason no civil rights legislation has been enacted by Congress during the past 99 years is because of the alliance between Southern Democrats and Northern Republican publicans.

Terming it "an unholy alliance," Congressman Dawson bitterly accused the GOP policy makers of now desiring to keep the combination going.

Congressman Adam Clayton Powell, who sided with the Republicans in November, now finds himself on the Dawson side of the issue.

In reference to White House's book, it undoubtedly will go a long way toward stopping the persecution of the people in the South who want nothing more than to be treated as Americans.

He added: "I just left the White House, and I told Sherman Adams in no uncertain terms the matter had been mishandled and the President ill-advised."

"The whole thing was a poor job of public relations in civil rights," Powell reiterated.

He suspects Maxwell Rabb, who did a good job when he first went to the White House, now is too busy.

"Anyway you look at it," Powell concluded, "it was a series of booboes."

Washington, of course, rushed to the President's defense. "Results count," he said. "The President is out to get results. 'He's a General and he operates like a General.'"

ALL RIGHT, these are the arguments. And they are partisan, depending, of course, on whether the source is Democratic or Republican. But all carry some weight.

The President's own explanation of what motivated his southern trip also is deserving of consideration.

There is something to the argument, too, that the President is a General and, being one, thinks as a General.

TO WIT: A speech, say, in Montgomery will not contribute to getting Congress to enact civil rights legislation and, on the other hand, certainly would agitate the South more than it is now agitated.

But if the President continues his silence, if the Justice Department goes on blowing hot one day and cold the next on enforcement of federal law in transportation and education, finally, and there is bloodshed in the South, where will the blame fall heaviest?

The answer is on the Executive Branch of the government. To be more specific, on the White House.

SO WHILE a speech in the South by the President may not get civil rights laws on the books, it undoubtedly will go a long way toward stopping the persecution of the people in the South who want nothing more than to be treated as Americans.

Homes and churches are being bombed. The Supreme Court is being defied. The law of the land is being defiled.

AS CHIEF Executive of the national government, the President is obligated to do something about it.

He suspects Maxwell Rabb, who did a good job when he first went to the White House, now is too busy.

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CIVIL RIGHTS HEARING

South Gains Talks Delay

WASHINGTON, Feb. 13 (AP)—Southerners, balking at civil rights legislation as evil, dangerous and "bunch of garbage," wrung from a House Judiciary committee today a 12-day respite.

The time element is important to chances of passing such legislation. Delaying tactics to "beat the Democrats to the punch" are a Southern strategy.

Twice before the subcommittee had yielded to Dixie protests and kept the hearings going. Now, instead of ending tomorrow, another round of testimony is set for Feb. 25-26.

But "under no circumstances," Chairman Celler (D-NY) declared will there be another extension.

BACKERS PUSHING

Celler and other backers of civil rights measures aimed at first at no hearings at all, contending every possible argument had been brought forth in previous years.

They want to push a bill through the House as quickly as possible, on the basis that the sooner they hustle it to the Senate the better the chances of defusing the big Southern weapon—the filibuster. A filibuster, or talking the legislation to death, would have increased prospects of success late in the congressional session.

What the subcommittee is considering are bills to give the federal government stronger powers to combat any violations of civil rights in the states.

TRAMPLING RIGHTS

Southerners contend that this would trample on the rights of the states; that they already are handling the problem adequately. An array of them appeared before the subcommittee today.

Rep. Forrester (D-Ga) shook a finger, banged a fist on the witness table, quoted the Bible at times and called the legislation backed by the Eisenhower administration "a monstrosity, a bunch of garbage," and an effort

Montgomery, Ala.

CIVIL RIGHTS CONFERENCE, WASHINGTON, D.C.
FEB. 1957

port."

The Southerners weren't taking the position that no abuses or mistreatment of voting and other rights of Negroes exist. But they said such instances are isolated and pending proposals are no way to handle them.

McCanless testified under questioning that there were disorders at Clinton, Tenn., over allowing Negroes to attend a white school. But he said the state sent in officers and order was restored in "a very dangerous situation" without loss of life or serious property damage. The federal government didn't have to come in and restore order, he said.

LOSS OF LIVES

The Tennessee attorney general said he could imagine situations arising elsewhere that could result in loss of lives.

"I hope," he said, "that Congress will do nothing to make such instances more likely."

If Tennessee and other states would repeal laws calling for segregated schools, Celler remarked, Congress wouldn't have to act. McCanless said there was little chance that Tennessee would do so.

The welfare of the nation would best be served, McCanless said, if Congress doesn't tamper with "already adequate civil rights laws and leaves enforcement of such rights to the states and the people."

BIBLICAL SUPPORT

Forrester offered to provide "30 quotations from the Bible" in support of segregation. The Congressman who taught Sunday school for 27 years, said segregation began when God told Abraham: "I'm going to make your seed a blessing to the entire world." The Lord, he said, also told Moses and Joshua: "You shall be a special people and above all people of the world."

Atty Gen. Brownell, Forrester said, is recklessly asking for excessive powers to intervene in civil rights matters. But he said he wasn't surprised.

He criticized a speech he said Brownell delivered May 5, 1956 to the Ohio Junior Chamber of Commerce in Columbus in which the attorney general was discussing tests of the voting qualifications of Negroes.

TERMED INSIDIOUS

Goodrich said the legislation is insidious because it would concentrate in Washington additional power to regulate and control the lives of the people. Without impugning the motives of those supporting it, he said, "It is this type of legislation that the Communists and fellow travelers always sup-

Both Houses In Rights Hearings

By ETHEL L. PAYNE

WASHINGTON — Simultaneous hearings on civil rights are scheduled for both the House and the Senate this week as a result of the delaying tactics which opponents of the bills have succeeded in using.

Rep. Emanuel Celler (D., N. Y.) who first put a ceiling of four days of testimony before the House Judiciary Committee in order to speed up action, compromised with Southerners and agreed to extend the hearings into a second week of testimony with more Southern state officials scheduled to appear.

At the same time, Sen. Thomas Hennings (D., Mo.) will open hearings Thursday before the subcommittee on Constitutional Rights of the Senate Judiciary Committee.

Hennings lost out on two previous attempts to set a time limit on testimony.

As he did before the House committee, Atty. Gen. Herbert Brownell jr., will lead off the parade of witnesses in the Senate. Southerners in the Senate have served notice that they intend to use every parliamentary device they can muster to prolong action on the measures.

Meanwhile, Congressman Charles Diggs (D., Mich.) who was forced to cool his heels for three days in the Judiciary Committee while waiting in vain for an opportunity to testify, said he had asked Chairman Celler to give him time at the end of the hearings in order to make a rebuttal to the testimony of opponents of civil rights.

Clarence Mitchell, director of the Washington Bureau of the NAACP, accused Celler of ignoring the sworn affidavit of Mrs. Marie Young of Jackson, Miss., who charges she was beaten so badly last November by a deputy sheriff that she lost her unborn child.

Mitchell said Celler had prom-

ised to question Gov. James P. Coleman of Mississippi about the charges while he was appearing before the committee last week, but failed to do so and ignored efforts to remind him of the matter.

Dixie Spokesmen Call Rights Plan Type Of Gestapo

purposes."

Testimony favoring the legislation came from Walter Reuther, president of the Auto Workers Union, who said it was time for Congress to change its "do-nothing record" on civil rights.

Reuther contended states, communities and labor unions are making progress in eliminating racial and religious discrimination and "only Congress has failed to act."

Engelhardt To Renew Bid In Rights Hearing

State Sen. Sam Engelhardt of Macon County, who failed to get before a House Judiciary Committee to testify on civil rights in Washington earlier this week, said he will go back to the U.S. capital later this month to try to appear before a Senate group.

Engelhardt returned from Washington yesterday after being told that the time he might get before the House group was "indefinite," he said.

The Macon senator, leader of the Alabama Assn. of Citizens Councils and a strong segregationist, said he was given no definite times as to when he was to appear, and then told it was in a speech in the South on the race question. He replied that his agenda is full now and he couldn't possibly work in such an appearance.

He added, however, that he did not think there was any intent on the part of legislators to keep him from testifying.

WITHOUT AROUSING PASSIONS

President Sidesteps Move

To Speed Up Civil Rights

WASHINGTON, Feb. 7 (AP)—President Eisenhower today described his civil rights proposals as "intended to preserve rights without arousing passions, and without disturbing the rights of anybody else."

Asked at his news conference whether he would urge early congressional action on the legislation, to lessen the chances of a successful Southern filibuster against it in the Senate, Eisenhower replied:

"The timing of such things I leave entirely to the leaders of Congress."

He added, "I have said as emphatically as I know how, that I want a civil rights bill of the character that we recommended to the Congress."

Eisenhower was asked why he had rejected, through Presidential

Assistant Sherman Adams, a Negro leader's request that he make a speech in the South on the race question. He replied that his agenda is full now and he couldn't possibly work in such an appearance.

The President added he always leaves time open for recreation here and there since 1890. There have been no lynchings in Mississippi since 1940, the governor to go to Georgia this weekend for quail hunting and golf.

Meanwhile, a House Judiciary Subcommittee continued hearings on civil rights measures and heard Sen. Javits (R-NY) urge early House action in order to hasten a decisive struggle in the Senate.

Another witness, Gov. J. P. Coleman of Mississippi, contended that in the second Democratic primary for governor last year some 418,000 persons voted, including about 7,000 Negroes.

Coleman said "the average citizen would refuse to have anything to do with the Negro for fear of landing in jail, or being called into court."

It was the governor's contention that a white who associated in any way with a Negro might be taken to court on an accusation of discrimination against such

Negro. Such accusations, he said, could be made by persons fancying themselves aggrieved or through an "honest misunderstanding."

Under such circumstances, he said, "the safe thing to do would be to let the Negroes go from the farms and have nothing to do with them whatsoever."

One provision of the Administration program would make it easier to go into federal courts with civil complaints of rights violations. Other sections would set up a special commission to study civil rights problems and create a civil rights division in the Justice Department.

Enactment of the legislation, Coleman said, would result in people becoming suspicious of one another. There would be a continuous uproar, he said, and the legislation would "foment ill will instead of producing good will."

The 43-year-old governor testified that his state has made much progress economically and in its race relations since 1890. There have been no lynchings in Mississippi since 1940, the governor to go to Georgia this weekend for quail hunting and golf.

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Asked about the wide discrepancy, Coleman said the whites always had voted while the Negroes had not, that a \$2 poll tax may have kept some Negroes from

Bills Target Of Protests

Feb. 2-8-57

By Patterson

WASHINGTON, Feb. 7 (AP)—South today as containing the seed of a "Soviet type gestapo."

Critics from Georgia and Alabama opened such a broadside before a House Judiciary subcommittee that Northern members pressed against what they called "inflammatory" statements.

"Enactment of this legislation," Atty. Gen. Eugene Cook of Georgia said, "would result in creation of a federal gestapo which would hold needless investigations, pry into the affairs of the states and their citizens, and intimidate the majority of our citizens solely to appease the politically powerful minority pressure groups inspired by the Communist ideologies of the police state."

PATTERSON TESTIFIES

Rep. Lanham (D-Ga.), appearing as a witness against the civil rights legislation, said "Stalin could not have conceived of a surrender of local powers as the program would authorize."

The committee heard Atty. Gen. Patterson of Alabama and McDonald Gallion, chief assistant, McDonald Gallion, register what they described

as "bitter opposition" to the pending proposals.

Patterson called the bills "vague, indefinite and uncertain" and "unconstitutional in any respect."

He said he doubted the wisdom of giving the U.S. attorney General "supervisory power" over local law enforcement officials, and declared:

"It will reduce the states to mere counties in relation to the federal government."

Questioned about violence attending efforts to enforce racial integration on the public transportation system of Montgomery, Patterson said Montgomery now had "voluntary" segregation on its buses.

"We have found it necessary to segregate bus passengers under our police powers for the safety of the passengers," he said.

Keating asked: "What do you call that, enforced voluntary segregation?"

"I think they sit apart so as not to annoy one another," Patterson replied.

He added that federal court orders against the city of Montgomery and the bus company "do not require people to mix—they can sit where they please."

Patterson drew a rebuke from Celler when he attacked the National Assn. for the Advancement of the civil of Colored People (NAACP). He said "Stalin said the NAACP was in violation of Alabama laws and in contempt of the courts."

Celler said he wanted "the record to show that as far as I am concerned, it is a law abiding Alabama and organization."

Gallion was questioned about Alabama's voter qualification laws

He was asked about testimony that some Alabama registrars had asked Negro voters to answer such questions as how many drops in an orange, or how many people are on the federal payroll.

VERY ISOLATED

Gallion said he was unaware of such instances, but that if they existed they were "very isolated."

He said any voter had the right to appeal in such a case, and can "go into court at any time within 30 days" for relief.

Alabama Circuit Court Judge C. Wallace of Clayton, Ala., told the subcommittee he was "not going to permit an unlawful interference by the federal police in my district." He said he would "order the arrest of any federal agent" who came into his judicial district and "demanded" the jury list.

Wallace said he was referring to an incident in which he said FBI agents "took over the courthouse" in Cobb County, Ga.

Chairman Celler (D-NY) told Wallace this was a "high-handed" statement. Celler said it was the FBI's duty to determine whether constitutional guarantees were being violated.

RAPE CASE

Rep. Keating (R-NY), a subcommittee member, contended the FBI went into Georgia to determine whether Negroes were being systematically excluded from jury duty in a Cobb County rape case.

Rep. Lanham said the FBI "had no business there in the first place" and the attorney general was "using the FBI for political

purposes."

Testimony favoring the legislation came from Walter Reuther, president of the Auto Workers Union, who said it was time for Congress to change its "do-nothing record" on civil rights.

voting. He added that no one prevents Negroes from paying the \$2 poll tax.

Coleman scoffed at reports that Negroes seeking to register as voters were asked impossible qualifying questions such as "how many bubbles in a cake of soap."

The truth is, said the governor, a state board makes up a list of questions which is asked all persons registering, that there is no secret about the questions and frequently Negroes obtain them in advance and study up on them.

Coleman was accompanied by Mississippi's Atty. Gen. Joe T. Patterson, who declared that all of Eisenhower's civil rights proposals were "wholly unnecessary."

Patterson told the committee he was proud to say "there's no Ku Klux Klan in Mississippi, and as attorney general I can say there is no need for the Ku Klux Klan."

Chairman Celler (D-NY) interrupted to inquire if there are any White Citizens Councils in Mississippi.

HONORABLE PEOPLE

"Yes, we have White Citizens Councils, and I'll say they are the finest and most honorable people in the state," replied Patterson.

Celler announced after today's hearings the committee would continue its meetings into next week. Apparently the committee has abandoned any idea of cutting off the hearings tomorrow as scheduled.

Atty. Gen. J. Lindsay Almond of Virginia wrote the committee asking to be heard, but saying he couldn't appear before Feb. 24 or 25.

Celler told newsmen he would invite Almond to appear next Wednesday or Thursday "at his convenience."

Rep. Mason (R-Ill) told the hearing "the proposed civil rights program is a direct violation of states' rights as guaranteed by the Constitution."

One of the few Republicans to speak in opposition to the legislation, Mason said any attempt to enforce a federal law or Supreme Court decision on 48 states having different customs and social standards "is simply an effort to indict, to arraign, to try a whole nation, a whole section, a whole state."

"It just cannot be done in a democracy; it can only be done under a dictator."

Mason asked whether "we must surrender our precious guaranteed states' rights in order to establish a program of civil rights . . . isn't the cure worse than the disease?"

10 1957

CIVIL RIGHTS

CONFERENCE, WASHINGTON, DC
FEBRUARY, 1957

Georgians Gain More Time For South's View on Rights But Probers Challenge Stand

Bloch Wins Applause as Legal Scholar

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON, Feb. 7—Georgians fired all the warnings and arguments at their command against civil rights legislation here today.

There was no sign that the Southerners have changed appreciably the minds of a House Judiciary subcommittee conducting the hearing, but the members did applaud Charles J. Bloch, Macon attorney, for his scholarly arguments.

And the Southerners did win a concession from Rep. Emanuel Celler (D-NY), chairman of the subcommittee and author of one of the civil rights bills being considered. Celler agreed to continue the hearings into next week. They had been scheduled to end this week.

The applause for Bloch marked an abrupt change in the panel's attitude, which had seemed hostile throughout most of the day toward the Georgians. It was felt that Bloch's arguments might at least result in some amendments to the bills.

The day's testimony was featured by the appearance of Bloch, who was joined by Atty. Gen. Eugene Cook, Rep. Henderson Lanham and Rep. John J. Flynt Jr., with Rep. E. L. (Tic) Forrester, quarterbacking the Georgia team and waiting to be heard next week. Reps. James C. Davis and Phil Landrum also are likely to testify next Wednesday.

ment prepared for presentation to the subcommittee, strongly hinted that it was a stacked panel of Northern proponents of such legislation.

But Forrester did not get a chance to testify before the day's hearings on the civil rights bill were recessed.

Earlier, the hearings turned largely into an argument between the subcommittee and Atty. Gen. Cook and Bloch over the U.S. Supreme Court's school desegregation ruling.

Time after time the arguments of Cook and Bloch were interrupted, challenged and disputed by three New York members of the panel, Celler and Reps. Keating (R) and Holtzman (D).

At times the exchanges, particularly with Keating, grew heated although for the most part they were courteous and marked at times by some levity.

LEAVES COOK TALKING

Repeatedly Celler called attention to news stories of the Georgia Legislature's moves to circumvent the school desegregation decision which Holtzman insisted time after time is now "the law of the land" which Georgia must obey.

Celler, who appeared to be tolerantly amused at much of the Georgia testimony, excused himself in the middle of Cook's testimony. The Georgia attorney generally finally stopped reading his lengthy legal brief and asked that it be inserted in the record.

Forrester, in his prepared statement, pointed out four of the seven members of the subcommittee are authors of civil rights bills with six of them having voted for such legislation at the last session of Congress.

NOT A SOUTHERNER

"It is certainly significant," Bloch cited a long list of court decisions backing up the "separate but equal" doctrine of racial facilities before that doctrine was knocked down by the 1954 Supreme Court ruling.

Had the bills been referred to a subcommittee where the majority were Southerners, Forrester said, "some of the agitators for civil rights would have demanded that the chairman of the committee be expelled from Congress and the subcommittee dissolved."

Rep. Lanham led off for the Georgians, declaring the civil rights bills "unnecessary and wholly uncalled for."

Race relations in Georgia are very good and have been improving steadily, he argued, with no Negroes being denied the right to vote and the poll tax long ago abolished. "The abhorrent crime of lynching no longer exists," Lanham said.

SOVIET-TYPE GESTAPO

"Within these bills are the seeds of a Soviet-type Gestapo," the Rome congressman warned, and they would create a "Frankenstein monster that can destroy us all."

"The minds of Krushchev, Bulganin or Stalin himself could not have conceived a more dangerous surrender of individual power to a government official," he declared.

Lanham also blasted Atty. Gen. Brownell, who would give broad powers under the bills, for sending FBI "snoopers" into Cobb County "upon the insistence of the NAACP" to "interfere with the administration of the courts of law in that great county of my district."

SPOKESMAN FOR GOVERNOR

In his testimony as spokesman for the governor of Georgia,

Bloch cited a long list of court decisions backing up the "separate but equal" doctrine of racial facilities before that doctrine was knocked down by the 1954 Supreme Court ruling.

These remarks frequently gave rise to clashes between the Macon attorney and the New York members of the subcommittee, who declared the more recent decree ruled out Bloch's arguments.

Times change and courts reverse themselves, Celler lectured Bloch, smilingly, and said "consistency is the hobgoblin of small minds."

"We hope to convince the court some day," Bloch replied, that the original philosophy on race relations is better than the new.

LAW OF THE LAND?

"Apparently, Mr. Bloch," asked Holtzman, "you don't think the decision of the Supreme Court is always the law of the land?"

"That's right," Bloch answered, because the court does change its mind itself.

Although he did not read it but inserted it in the record, Cook's opening testimony included a lengthy recital of the higher incidence of crime among Negroes than among whites as he linked civil rights proposals with Communist doctrines.

The bills, he argued, are aimed against the South. He warned that such laws will precipitate "violence and bloodshed" and "seriously endanger our national existence."

Cook said he was concerned that the Congress would "unwittingly sow the seeds of disunion."

GENERATE BITTERNESS

The bills, he said, "will generate more bitterness, more hatred and racial conflicts than this country has ever seen before."

Segregation is deeply imbedded in the Southern pattern of life, he said, and is practiced even more in New York City. Cook declared in a statement that Celler took issue with.

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PASS RIGHTS BILL, BROWNELL APPEALS

States' Authority Not Encroached, He Says

By G. K. HODENFIELD

WASHINGTON, Feb. 4 (AP)—Atty. Gen. Brownell declared today there would be no federal encroachment on states' authority in the administration's civil rights program. He urged passage of the legislation to "affirm the Congress' determination to secure equal justice under law for all of our citizens."

Brownell, first witness at a hearing called by the House Judiciary Committee, said the program is designed to protect rights guaranteed by the Constitution through civil action rather than by criminal prosecution as the law now requires.

Colmer Blocks Move

There was every indication the program faces rough sledding in the House as well as in the Senate. Southern congressmen served notice they were ready to use all parliamentary devices to delay it.

Rep. Colmer (D-Miss) succeeded in blocking plans of the Judiciary Committee to meet while the House is in session. This may string the hearings out over some time.

Under House rules, all but three exempted committees must recess unless given unanimous permission to continue. The three committees exempt from the rule are Appropriations, Un-American Activities, and Government Operations.

Colmer objected when Democratic Leader McCormack of Massachusetts requested unanimous consent for the Judiciary Committee to ignore the rule. Such requests usually are granted as a matter of course.

Fight Ahead, Says Willis

Still to be heard by the committee were a number of officials from Southern states. Rep. Willis (D-La) said they will offer "formidable" arguments against President Eisenhower's program.

The program, one of the major pieces of legislative business sent to Congress by Eisenhower, calls for laws to protect voting rights and provides for civil damage suits where civil rights have been violated, as determined by the courts.

It also calls for creation of a bipartisan commission to investigate reported violations of civil rights, and for creation of a civil rights division in the Justice Department under an assistant attorney general.

Would Allow Injunctions

One of the proposed new laws would permit the government to use injunctive powers to prevent violations of civil rights. Under this law the government could seek court orders, in advance of an election, to prevent illegal interference with voters. Under present laws the government can only prosecute after the voter has actually been denied his rights on election day.

Rep. Celler (D-NY), chairman of the committee, opened the hearings by calling for "calmness and deliberation" on all sides, but added: "If ever a time called for the harsh necessity of accommodating one's thinking to changing patterns of life, this is it."

Brownell said "extremists on either hand will not be satisfied" by the program. But, he added, the proposals will "go far to make a living reality of the pledges of equality under law which are embodied in the Constitution."

No Encroachment, Says Brownell
Brownell spoke of "the concern

expressed in some quarters that enactment of these proposals might enlarge the federal government's jurisdiction and encroach upon the constitutional authority of the states."

"Such is not the case," he said, adding:

"None of these four proposals would extend or increase the area of civil rights in which federal jurisdiction as defined by the court exists today. These rights are now protected by amendments to the Constitution and when they are violated the government may now act under existing criminal law."

"These proposals are designed to give us the means intelligently to meet our responsibilities and to safeguard the constitutional rights of all the people."

In his opening statement, Celler said "we can no longer contend that there is an aristocracy of color. The principle of equality — economically, culturally and spiritually — has become a standard of definition in these United States."

He asked Congress to provide the leadership in what he called this "vexatious" and "very explosive subject." He said the Supreme Court's decision on civil rights "must be accepted as the law of the land."

The President's program is the same as the one which passed the House last year but died in the Senate.

Sen. Knowland of California, Senate GOP leader, yesterday set March 1 as a target date for starting debate on the bill in the Senate. Democratic leaders, however, figured late April was a more likely date.

WASHINGTON MERRY-GO-ROUND

Ike Urges Republican Leaders To Move Fast With Civil Rights

Atlanta, Ga.

By DREW PEARSON

Washington.

PRESIDENT Eisenhower made it clear to Republican congressional chiefs at a closed-door White House meeting the other day that civil rights legislation is at the top of his "must" list for Congress. The way to lick the would-be filibusterers against civil rights, Eisenhower said, is to beat them to the punch.

"If we hope to get a bill through this session we must get started on it right away," he declared. "The longer we wait, the greater the chance of running into a time-killing filibuster."

The President apparently had studied Senate filibustering tactics.

"If we wait until May or June to get the bill out of committee and onto the Senate floor," he continued, "the chances of approval are mighty slim, it seems to me."

Ike referred, of course, to the fact that filibustering tactics are always most effective toward the end of a session when members are tired and want to go home.

House GOP leader Joe Martin, who has no filibuster problems, was somewhat more enthusiastic than his Senate counterpart, Bill Knowland of California. Knowland assured Eisenhower of his support, but said the final outcome would depend as much on Northern Democratic liberals as on his Senate GOP cohorts.

"If we get to your civil rights program in time, we'll pass it, Mr. President," intoned the deep-voiced Californian. "I'll do the best I can."

COMMITTEE BATTLE

Not many people realize how the tactics of one potent congressional committee chairman can block legislation affecting millions of people. Such a chairman is Graham Barden, charming, courtly congressman from North Carolina, who for years has exercised one-man rule over

Committee.

The other day, a group of Young Turk congressmen revolted against Barden's long-time one-man rule. They won part of their battle.

The inside story indicates how legislative battles are sometimes decided backstage on Capitol Hill.

The Young Turk congressmen, Udall of Arizona, Metcalf of Montana, Roosevelt of California, Thompson of New Jersey, and Mrs. Green of Oregon, had carefully planned their strategy for six months.

Barden, however, outsmarted them. Secretly he had his own new set of rules drawn up, surrendering part of his power, but not all.

When the full committee met, Barden had his strategy all set.

"Every person in the United States is affected by what is done here," he partially surrendered. "The committee's jurisdiction and scope have grown so much that I have decided subcommittees should be appointed." This meant that he could no longer bottle up legislation in the full committee.

"I am proposing a resolution to be adopted today by the members of the committee," he said.

The Young Turks, who were ready with their own resolution, perked up their ears.

"Can we consider the provisions one at a time?" inquired Young Turk Metcalf of Montana.

"No!" declared Barden, annoyed. He then launched into a half-hour lecture, winding up with a reading of his new rules, reserving for himself the right to appoint subcommittee chairmen and members.

"I move the adoption of the resolution!" said Congressman Ralph Gwinn (R-NY), one of the most reactionary Republicans in Congress. Another Republican seconded the motion.

"Mr. Chairman," interrupted Metcalf, "will the resolution be open to amendment by the committee?"

Barden was now irritated.

"Well," he growled, "if you're going to butcher it all up, I don't want any of it."

POWELL DEFEATED

By now Adam Clayton Powell had arrived in the committee room.

"Mr. Chairman," he inquired meekly, "are the subcommittee chairmen going to be appointed according to seniority?" He knew that if seniority prevailed he would be a subcommittee chairman. He also knew Barden didn't want him as such.

"No!" declared Barden, "because of complications."

Edith Green of Oregon came to Powell's defense by offering a formal motion in opposition to

Barden, calling for seniority in appointing subcommittee chairmen. All eyes turned to Powell, whose turn it was to make a plea for fair play. He merely offered a meek second to Rep. Green's motion.

When the votes were tallied, Barden won, 19 to 9, against Powell. Not a single Republican voted for Powell, though the Harlem Democrat had campaigned for Eisenhower and swung thousands of Negro votes in November.—(c1957.)



Associated Press Wirephoto

ATTY. GEN. COOK CONFERS BEFORE TESTIFYING
Talks With Charles J. Bloch, Macon, Before His Attack

Drew Pearson's column appears regularly in the daily Atlanta Journal the House Education and Labor

Blast at Civil Rights Bill Rights Bills Safeguard Brings Keating Rebuke States, Brownell Says

By Betty Pryor
United Press

A North Carolina State official said yesterday that pending Federal civil rights legislation "threatens to shake the very foundations of law enforcement in the United States."

Edward Scheidt, the State's Commissioner of Motor Vehicles, told a House Judiciary Subcommittee the proposals represent "a frontal attack upon the police powers and responsibilities of all local and state governments."

Scheidt was promptly rebuked by Rep. Kenneth B. Keating (R-N.Y.), ranking GOP member on the Subcommittee, for making "extravagant statements." Keating said part of Scheidt's testimony "borders on the insulting."

Former FBI Agent

The witness is a former FBI agent in charge of the New York office and is credited with a key role in cracking the Rosenberg spy case. A State official since 1953, he was designated by Gov. Luther H. Hodges to present North Carolina's views.

The Subcommittee is considering 45 separate bills to protect the civil rights of Negroes and other minorities.

Among these was President Eisenhower's four-point program. It would (1) establish a Presidential Commission on Civil Rights; (2) set up a civil rights division in the Justice Department; (3) authorize the Government to use the courts to forestall civil rights violations and (4) provide greater Federal protection for voting rights.

Witnesses testifying in favor of the proposals at yesterday's hearing included several northern Congressmen, Roy Wilkins, executive secretary of the NAACP, and the American Association of Colored People. AFL-CIO legislative director Andrew J. Biemiller and Mrs. Paul Blanshard of the Unitar-



Associated Press

EDWARD SCHEIDT

... hits "rights" proposals
ian-Fellowship for Social Justice.

Mrs. Blanshard and the lawmakers urged quick House action on civil rights. Mrs. Blanshard said early House passage is necessary "because the Senate is prone to linger over important legislation unduly."

Senate Republican Leader William F. Knowland (Calif.) said yesterday he believes the Senate, traditional graveyard of civil rights legislation, should tackle the issue about March 1 after the Middle East debate is concluded.

Senate Hearings Tuesday

He said that hearings by the Senate Judiciary Committee on the legislation are scheduled to start next Tuesday, Lincoln's birthday.

Southerners in both the House and Senate have served notice that they intend to use every weapon at their command to delay and, if possible, prevent enactment of civil rights legislation.

Scheidt was particularly critical of proposals that a Federal commission be established to ride herd on the states' en-

forcement of civil rights.

He said the effect would be "to create a national police force to supersede and sit in judgment upon the actions of local and state law enforcement officers in almost any kind of case they might handle."

He said this would put every local police officer "under a sword of Damocles, knowing that his every act might be criminally examined by the Federal Government at the instigation of criminals, psychopaths, pressure groups 'or any one who wanted to make trouble for him."

Wilkins told the Subcommittee that the NAACP and other pro-civil rights organizations are willing to "compromise our demands" in order to break "the legislative stalemate" on civil rights.

He said they are willing to accept a "minimum" bill, providing it is "meaningful." He said that "meaningful legislation" should include protections for voting rights and other provisions in the Administration's program.

Vote Violations Listed

Wilkins told the Subcommittee that "the right to vote has been flagrantly and systematically denied colored citizens in many parts of the South." He said that in Louisiana, white citizens councils "have conducted a campaign to purge as many colored voters from the books as possible."

In Alabama, he said, Negroes are discouraged from registering by being asked such questions as: "How many persons are on the United States payroll?" And "what was the 19th state admitted to the Union?"

Wilkins added that in Mississippi, 22,000 Negroes registered to vote in 1954 but a year later, the number "had been forced down to around 8000."

"Not only administrative devices but economic reprisal and outright violence have been used to prevent colored

people from voting," he said.

By G. K. Hodenfield

Associated Press

Attorney General Herbert Brownell Jr. declared yesterday there would be no Federal encroachment on states' authority in the Administration's civil rights program. He urged passage of the legislation to "affirm the Congress' determination to secure equal justice under law for all of our citizens."



Brownell

Brownell, first witness at a hearing called by the House Judiciary Committee, said the program is designed to protect rights guaranteed by the Constitution through civil action rather than by criminal prosecution as the law now requires.

There was every indication the program faces rough sledding in the House as well as in the Senate. Southern Congressmen served notice they are ready to use all parliamentary devices to delay it.

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Officials to Be Heard

And still to be heard by the Committee are a number of

officials from Southern states. Rep. Edwin E. Willis (D-La.) said they will offer "formidable" arguments against President Eisenhower's program.

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It also calls for creation of a bipartisan commission to investigate reported violations of civil rights, and for creation of a civil rights division in the Justice Department under an assistant attorney general.

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Sees No Encroachment

Brownell spoke of "the concern expressed in some quarters that enactment of these proposals might enlarge the Federal Government's jurisdiction and encroach on the constitutional authority of the states. Such is not the case," he said, adding:

"None of these four proposals . . . would extend or increase the area of civil rights in which Federal jurisdiction as defined by the court exists today. These rights are now protected by amendments to the Constitution and when violated the Government may now act under existing criminal law.

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signed to give us the means intelligently to meet our responsibilities and to safeguard the constitutional rights of all the people."

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STATES ASSURED ON RIGHTS ISSUE

James P. 52
Brownell, Opening Hearings,

Disavows Encroachment—

Southerners Hold Fire

James P. 52
Special to The New York Times.

WASHINGTON, Feb. 4—Civil rights legislation, supposed to be an explosive issue in this Congress, caused only minor ripples as public hearings began today. There were signs, however, that Southern Democrats were delaying their fire.

Attorney General Herbert Brownell Jr. was the opening witness before the House Judiciary subcommittee. He gave assurances that the Administration's civil rights program implied no encroachment on states' authority.

Representative Emanuel Celler, Democrat of Brooklyn, who is conducting the hearings, ran into trouble signs in the House. He heads the full committee.

In Mr. Celler's behalf, Representative John W. McCormack of Massachusetts, majority leader, asked unanimous consent for an exception to the rules so that the subcommittee could hold hearings all day, even though the House was in session. Most hearings suspend for the day at noon, when the House meets.

Objection by Colmer

Representative William M. Colmer, Democrat of Mississippi, objected. Mr. Celler was able to hold an afternoon session, however, because the House adjourned at 1:45 P. M. The re-

quest probably will be renewed tomorrow, and may be blocked again.

Mr. Celler ordered tomorrow's hearing to start at 9 A. M., an hour earlier than usual. He is trying to complete the hearings in four days.

Mr. Colmer's objection indicated that the Southerners planned to resort to parliamentary tactics if necessary to delay civil rights legislation.

At the hearing, the only questions with potential fireworks were asked by Representative Edwin E. Willis, Democrat of Louisiana. Mr. Willis, a member of the parent Judiciary Committee, was permitted to sit with the smaller group as a courtesy.

He asked whether the protection of voting rights was not traditionally and fundamentally a matter of states' rights.

Mr. Brownell said he would be delighted if states acted vigorously in this matter, but they have not, he added, and the Government should have remedies to proceed where necessary to protect these rights.

Cites 'Basic Authority'

Mr. Willis pressed his point, but the Attorney General repeated that he would have to disagree.

"The authority of the Federal Government is just as basic as the state government's," Mr. Brownell observed. Later, he added: "I think 165 years is long enough myself to get this thing working."

Mr. Willis also wanted to know whether the Attorney General would invoke an injunction if a student complained that a school board had deprived him of his rights.

"I would say that I wouldn't last very long as Attorney General if I tried to answer every hypothetical question," Mr. Brownell replied.

He repeated the President's four principal proposals, on which he testified last year. He said none "would extend or increase the area of civil rights in which federal jurisdiction, as defined by the courts, exists today."

"In asking the Congress to provide civil remedies," he went on, "we are not asking for new and untried powers, nor are we asking for any extension of Federal jurisdiction in civil rights cases."

With civil remedies, for example, the Government could get an injunction to prevent a threatened disfranchisement of voters.

The administration program also would create a bipartisan commission to study civil rights, create a civil rights division in the Justice Department and set up new laws to help bolster voting rights.

US Police Force Foreseen If Civil Rights Bill Passes

James P. Cagney
Wed. 2-6-57
By J. W. DAVIS

WASHINGTON, Feb. 5 (AP)—A southern civil rights proposals pending in the House said Tuesday they would lead to "a national police force." A northern congressman called the argument ridiculous.

The critical witness was Edward Scheidt, North Carolina motor vehicles commissioner. A former FBI agent, he was the first of a series of representatives of southern state governments sent here to oppose bills under consideration in the House judiciary committee.

Testimony in support of new legislation was offered by Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People (NAACP), and Andrew J. Biemiller, legislative representative of the AFL-CIO.

Would Hit All Areas, Claim Scheidt told the committee that proposed federal civil rights legislation would "bring the heavy hand of a national police force upon every community and state in the nation."

Speaking specifically of a program advocated by Rep. Celler (D-N. Y.), chairman of the committee, Scheidt said it would "create a national police force to supersede and sit in judgment upon the actions of local and state law enforcement officers in almost any kind of a case they might handle."

Celler disputed Scheidt's argument and Rep. Keating (R-N. Y.) called it "extravagant to the point of ridiculousness."

Keating introduced Bill Keating has introduced a bill to carry out President Eisenhower's civil rights program. The committee was unable to hold a scheduled afternoon meeting because southern lawmakers blocked requests for unanimous consent to let the committee sit while the House was in session.

Southerners used the same tactic Monday.

There were indications, meanwhile, that Celler had worked out a truce with southern members in order to conduct hearings while the House meets.

It was understood Celler agreed to continue the hearings beyond Thursday's scheduled

termination date in return for permission to sit whether the House is in session or not.

NAACP for Compromise Celler denied to newsmen there was any "agreement," but he said he could not conscientiously halt hearings when state officials have asked to be heard on civil rights proposals. Biemiller for the AFL-CIO asked for enactment of the Eisenhower program "at the very least." He said the AFL-CIO wants also to get laws against lynching and poll taxes, and for fair employment practices under consideration in the House system.

Wilkins for the NAACP said his and allied organizations were willing, for a starter, to accept "much less at this time than we believe to be justified." Putting it a little differently, he said these organizations are calling for "the first step toward breaking the congressional stalemate by enactment of minimum legislation."

RIGHTS BILLS RAPPED AS ATTACK ON STATES

Commercial Appeal
Carolinian Rebuked Sharply

By GOP House Member
Wed. 2-6-57
For Statement
Memphis Press-Scimitar

WASHINGTON, Feb. 5.—A North Carolina state official said Tuesday that pending Federal civil rights legislation "threatens to shake the very foundations of law enforcement in the United States."

Edward Scheidt, the state's commissioner of motor vehicles, told a House Judiciary Subcommittee the proposals represent "a frontal attack upon the police powers and responsibilities of all local and state governments."

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Mr. Scheidt was promptly rebuked by Representative Kenneth B. Keating (R., N. Y.), ranking GOP member on the subcommittee, for making "extravagant statements." Representative Keating said part of Mr. Scheidt's testimony "borders on the insulting."

Big Role In Spy Case

The witness is a former Federal Bureau of Investigation agent in charge of the New York office and is credited with a key role in cracking the Rosenberg spy case. A state official since 1953, he was designated by Gov. Luther H. Hodges to present North Carolina's views.

The subcommittee is considering 45 separate bills to protect the civil rights of Negroes and other minorities.

Among these was President Eisenhower's four-point program. It would establish a presidential commission on civil rights; set up a civil rights division in the Justice Department; authorize the Government to use the courts to forestall civil rights violations and provide greater Federal protection for voting rights.

Witnesses testifying in favor of the proposals at Tuesday's hearing included several Northern congressmen, Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People; AFL-CIO legislative director Andrew J. Biemiller and Mrs. Paul Blanshard of the Unitarian Fellowship for Social Justice.

Quick Passage Urged

Mrs. Blanshard and the lawmakers urged quick House action on civil rights. Mrs. Blanshard said early House passage is necessary "because the Senate is prone to linger over important legislation unduly."

Southerners in both the House and Senate have served notice that they intend to use every weapon at their command to delay and, if possible, prevent enactment of civil rights legislation.

Mr. Scheidt was particularly critical of proposals that a Federal commission be established to ride herd on the states' enforcement of civil rights.

He said the effect would be "to create a national police force to supersede and sit in judgment upon the actions of local and state law enforcement officers in almost any kind of case they might handle."

Civil Rights Bill Before House Group

Journal & Guide P.1
Sat. 2-9-57
By KENNETH WEISS

WASHINGTON (INS)

Attorney General Herbert Brownell Jr., said Monday that enactment of President Eisenhower's civil rights program could "make the difference between success and failure" in federal protection of civil rights.

The cabinet member told the House Judiciary Committee that the proposals do not extend or increase the area of federal jurisdiction over civil rights.

Journal & Guide
HE SAID: "Enactment of these proposed remedies would not enlarge or in any way clash with the constitutional limitation on the Federal government to act in this field. It would rather permit the Federal government to take civil remedial action instead of having to depend solely upon criminal procedures."

P.2
Brownell was the first witness in four days of hearings scheduled by Judiciary Committee chairman Emanuel Celler (D) N. Y., in the drive to push a civil rights bill through Congress this year.

PRESIDENT Eisenhower's four-point program calls for a bipartisan commission to investigate alleged law violations in the civil rights field, a new civil rights division in the Justice Department, new laws to aid in enforcement of voting rights, and federal authority to seek from civil courts preventive relief in civil rights cases.

Brownell said that civil proceedings to stop illegal interferences and denials of the right to vote "would be far more effective" than criminal prosecutions after the violations of law.

CONCEDING that extremists would not be satisfied with the administration's proposals, Brownell said they nevertheless "will go far to make a living reality of the pledges of equality under law which are embodied in the constitution."

The proposals, advanced by the President in his State of the Union message, were basically the same as his recommendations to Congress last year.

BROWNELL said: "The turbulent events and unfortunate incidents that occurred in the interim have not demonstrated any need for revision, but have underscored the need for early enactment of this program."

Among the witnesses scheduled to follow Brownell to the stand were congressional authors of civil rights bill and southern opponents.

10 1957

CIVIL RIGHTS

CONFERENCE, WASHINGTON, DC
FEBRUARY, 1957

WASHINGTON

News

Here's View Civil Rights Bill Will Pass

BY ROSCOE DRUMMOND

TWO IMPORTANT pieces of domestic legislation which failed to pass Congress during the 1956 session, appear to have better prospects this year.

The outlook is that if the President actively uses his influence on Capitol Hill both the \$2 billion, four-year school aid bill and the Administration's moderate civil rights program can become law during the next few months.

What will surprise many, perhaps, is the recurring prediction that some civil rights legislation is going to go through this session. This forecast comes as something of a surprise because of the widely held theory that a civil rights bill could never surmount a Southern filibuster, that a determined minority can always block the action of a majority in the Senate.

My own conviction is that this theory has never been true. A determined majority always could defeat the blocking tactics of a determined minority and the real reason civil rights measures have not been enacted in recent years is that they have not had the support of a determined majority of senators.

Large 'In-Between' Group Meant The Difference

WHAT THEY have had is the ardent advocacy of a minority of senators, the ardent opposition of another minority of senators and an in-between attitude ranging from moderately friendly to abysmally indifferent.

If civil rights legislation is to pass, it will have to be backed not by a faint-hearted majority but by a determined majority.

The judgment of most congressional correspondents is that there now is a determined majority in the Senate behind at least the Administration program which doesn't go as far as some of the Democratic liberals would like. What the White House wants to bring about is this:

Aim Is Said To Be For Civil Action

1. THE CREATION of a distinguished bipartisan commission to investigate civil rights violations of all kinds.
2. The establishment of a Civil Rights Division, headed by an assistant attorney general, in the Justice Department.
3. New protections to be thrown around the right to vote. These would include congressional authority for the attorney general to seek an injunction against any private person or public official who acts unlawfully to prevent any eligible citizen from voting.

Students of civil rights laws generally agree that the investigative commission might turn out to be more window-dressing than real. They feel that the proposals giving the federal government better means to enforce the right to vote by civil rather than criminal action are the heart of the program.

There is strong Republican senatorial backing for such a civil rights program. The House passed it last year and will easily do so again. A considerable number of Northern and Western Democrats favor this program or something stronger.

This adds up to a pretty formidable bipartisan majority.

There are also new political incentives. The Negro vote showed itself moving out of past grooves and the Republican Party was the beneficiary last fall. It is clear that if the Republicans are going to be able to further this trend or if the Northern Democrats are going to be able to arrest or reverse it, they will have to show themselves to be the friend of the Negro voter.

This is why civil rights legislation will have more friends this year and this is why a faint-hearted civil rights majority has become a very determined civil rights majority.

There will be a filibuster in the Senate against the civil rights measures and it will probably fail.

If Civil Rights Passes, School Aid Might Be Easier

FEDERAL AID to the schools will also pass if Mr. Eisenhower can persuade sufficient Republicans to help defeat another version of the Powell amendment which would mix desegregation with school construction—and help neither. Many of its advocates are profoundly sincere and many others used it simply as a means of defeating the bill by first voting for the amendment and later voting against the bill.

To fail to build the schools will not help integration and there will be no federal aid for school construction if a Powell amendment is attached to it.

It will help, I think, if the Administration's civil rights program is acted upon in the Senate before the school bill. Its passage might well reduce the pressure for a Powell amendment.—C

Rights Bill Hit

Post & Times Herald

By Southerners

Feb. 2-8-57 P.2-a

By Gardner L. Bridge
Associated Press

Southern witnesses denounced President Eisenhower's civil rights program yesterday as containing the seed of a "Soviet-type gestapo."

Critics from Georgia and Alabama opened such a broadside before a House Judiciary subcommittee that Northern members protested against what they called "inflammatory" statements.

"Enactment of this legislation," Attorney General Eugene Cook of Georgia said, "would result in creation of a Federal gestapo which would hold needless investigations, pry into the affairs of the States and their citizens, and intimidate a majority of our citizens solely to appease the politically powerful minority pressure groups inspired by the communistic ideologies of the police state."

Judge Warns Agents
Rep. Henderson Lanham (D-Ga.), appearing as a witness against the civil rights legislation, said "Stalin himself could not have conceived" as effective surrender of local powers as the program would authorize.

Alabama Circuit Judge
George C. Wallace of Clayton, Ala., told the subcommittee he was "not going to permit any unlawful interference by the Federal police in my district." He said he would "order the arrest of any Federal agent" who came into his judicial district and "demanded" the jury list.

Wallace said he was referring to an incident in which he said FBI agents "took over the courthouse" in Cobb County, Ga.

lations; (2) Create a civil rights division in the Justice Department headed by an Assistant Attorney General; (3) Set up new laws to protect voting rights and permit the Government to use court injunctions against violations; (4) Provide for civil damage suits where civil rights have been adjudged to have been violated.

Celler said hearings on the legislation would continue into next week.

Federal Police

Force Visioned

Wed. 2-6-57

In Civil Rights

Montgomery, Ala.

WASHINGTON, Feb. 5 (AP)—A southern critic of civil rights proposals pending in the house said today they would lead to "a national police force." A northern congressman called the argument ridiculous.

The critical witness was Edward Scheidt, North Carolina motor vehicles commissioner. A former FBI agent, he was the first of a series of representatives of southern state governments sent here to oppose bills under consideration in the house judiciary committee.

Testimony in support of new legislation was offered by Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People (NAACP); and Andrew J. Biemiller, legislative representative of the AFL-CIO.

Scheidt told the committee that proposed federal civil rights legislation would "bring the heavy hand of a national police force upon every community and state in the nation."

Speaking specifically of a program advocated by Rep. Celler (D-NY), chairman of the committee, Scheidt said it would "create a national police force to supersede and sit in judgment upon the actions of local and state law enforcement officers in almost any kind of a case they might handle."

Celler disputed Scheidt's argument and Rep. Keating (R-NY) called it "extravagant to the point of ridiculousness."

Keating has introduced a bill to carry out President Eisenhower's civil rights program.

The committee was unable to hold a scheduled afternoon meeting because southern lawmakers blocked requests for unanimous consent to let the committee sit while the house was in session.

Southerners used the same tactic yesterday.

There were indications, meanwhile, that Celler had worked out a truce with southern members in order to conduct hearings while the house meets.

It was understood Celler agreed to continue the hearings beyond their scheduled date in return for permission to sit whether the house is in session or not.

Alabama Judge Hits Rights Plan

An Alabama state judge charged yesterday that civil rights proposals before Congress would make Federal judges virtual "judicial dictators."

Judge George Wallace of Clayton, Ala., told a House Judiciary Subcommittee that Chairman Emanuel Celler (D-N.Y.) over the more restricted Administration proposal. But Rep. Paul Brown (D-Ga.) did not see the need for any legislation.

Brown said the substitution of Federal judges for state officials in carrying out the law is "an unwarranted and unnecessary centralization of power."

[Meanwhile, Sen. Jacob Javits (R-N.Y.) urged prompt House action on civil rights legislation to set the stage for "a decisive struggle" in the Senate, Associated Press reported. Javits, testifying before the Subcommittee, said Administration support for the legislation "augurs well for a successful result."

[However, Rep. R. W. Herp-Phill (D-S.C.), a freshman member, told the Committee that the South "is making progress" in ironing out its race problems and "I ask you to leave us alone."

[Enactment of civil rights legislation, he said, would open old wounds and result in bitterness that can't be wiped out for years.]

Rep. Charles A. Vanik (D-Ohio) warned that a civil rights commission proposed by the Administration probably would find more problems of prejudice in the North than in the South.

Vanik said prejudice in the North "can be seen to take effect at the city limits," adding that few suburban areas are available for all Americans to live in.

Vanik told the lawmakers: "The migration of city dwellers into the new confused outposts of suburbia are frequently motivated by a desire for a segregated community and segregated schools."

He charged that banks and lending institutions "isolate these communities from tolerance by a segregation loan policy" and community clubs are designed for segregation by "clubby covenances."

The Subcommittee also heard Rep. Adam Clayton Powell (D-N.Y.) urge approval of a proposal by Committee

With a Warning

House Unit Gets Eisenhower Plan On Civil Rights

WASHINGTON — (INS) — The Eisenhower administration presented its civil rights program to Congress Monday with a warning that success of federal efforts to protect minority groups depends upon its enactment.

Atty. Gen. Herbert Brownell, Jr., outlined the four-point program in testimony before the House Judiciary Committee and immediately aroused Southern opposition to federal intervention in the civil rights field.

The program calls for a bipartisan commission to examine civil rights cases and policies, creation of a new civil rights division in the Justice Department, new laws to protect voting rights, and civil court remedies.

It is identical with the administration's proposals last year, which were approved by the House but died in a Senate committee when Congress adjourned.

The cabinet member conceded that extremists would not be satisfied with the program, but said that it would "go far to make a living reality of the pledges of equality under law which are embodied in the Constitution."

Rep. Kenneth Keating, New York Republican, sponsor of the administration's bill, said that the program is "realistic" and "hard headed" and any "attempt to go further or faster means another dead end."

The Southern opposition was sparked by Rep. Edwin E. Willis, Louisiana Democrat, who questioned Brownell sharply about the historic right of the states to deal with election procedures.

Brownell agreed that there are state laws guaranteeing voting rights and principles but he said that "history shows quite clearly that action has not been vigorous enough in

At House hearing—

Patterson raps rights proposal

BY JAMES FREE, News Washington correspondent

WASHINGTON, Feb. 7—Atty. Gen. John Patterson of Alabama today told a House judiciary subcommittee that passage of President Eisenhower's civil rights proposals would bring "great discord and strife."

Patterson said he has made a close comparison of the civil rights bills with Alabama laws on this subject.

"I find that our state laws can give citizens all the protection these new federal laws would give," Patterson said.

THE ALABAMIAN said state laws give plenty of protection to the voting rights of all persons, white or Negro. Any citizen who feels his voting rights have been violated can bring action in the state courts, he said, "but I know of no case pending in Alabama today."

PATTERSON said his department is enforcing the laws of the state and intends to keep on doing so regardless of race, color or creed.

He noted that the pending bills are strongly backed by the National Assn. for the Advancement of Colored People. He said the NAACP has violated laws of Alabama and other states and is encouraging others to do likewise. He said it has refused to pay legitimate taxes and to obey orders of the state courts.

Patterson said a vote for these bills would be a vote to reduce the states to the status of counties, so far as police powers are concerned.

MacDonald Gallion, chief assistant attorney general, said such destruction of police

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CIVIL RIGHTS

CONFERENCE, WASHINGTON, D.C.

FEBRUARY, 1957

PASSAGE OF CIVIL RIGHTS

BILL IS PREDICTED BY THE

ANTI-DEFAMATION LEAGUE

Need For Passage

Cited By Reuther

Daily World Inc. 2-8-57
Atlanta Ga. P.1
 WASHINGTON — The Anti-Defamation League of B'Nai B'rith Thursday confidently predicted the 85th Congress "will go down in history as the first Congress since reconstruction days to pass a significant Civil Rights bill."

The organization, which appeals for equality for all people regardless of race, made the prediction during hearings on the Eisenhower Administration's Civil Rights Bill, now before Congress.

The legislation proposed by the administration would create a civil rights commission, would set up a special civil rights division within the Justice Department and is generally designed to protect the right of all people regardless of race, color or religion.

The Anti-Defamation League declared the bills placed in Congress demonstrate "America's desire to live up to the ideals of equality or religious and political heritages."

REUTHER SPEAKS
 United Auto Workers President Walter Reuther called the bills before the subcommittee "minimum," and urged their approval.

But of another failure, Reuther said, "would be incalculably worse, economically and politically, both to our country and its effect on our standing in the nations of the world."

Representative Kenneth Keating, New York, one of the proponents of the bill, made special efforts to clear up an apparent misunderstanding on the part of Georgia Attorney General Eugene Cook. Cook explained to Keating the need to carry out a decision of the United States Supreme Court, and nothing to do with whether

or not races would mingle socially in Georgia.

"We're not talking here of social patterns not of intermingling of the races socially. We're talking only of civil rights guaranteed by the Constitution," he explained.

Keating upheld the right of the Federal Bureau of Investigation to determine if Constitutional rights are being denied, especially in sections known to have fought against any advance for the Negro in general.

The committee also heard from several representatives from the South including a delegation from Georgia. The expected statements were made in opposition to honoring measures which seek to give the Negro equality in Dixie.

IKE EXPLAINS

RIGHTS PLAN;

OF INFLATION

CONTROLS

PROBABLE,

IKE SAYS

World Sat. 2-9-57
B'ham, Ala.
 WASHINGTON—President Eisenhower declared Wednesday that the civil rights program he has laid before Congress is "intended to preserve rights without arousing passions, and without disturbing the rights of anybody else."

Mr. Eisenhower made the declaration at his Wednesday press conference at which time he said "I think it is a very decent and needed piece of legislation."

The Eisenhower administration program on civil rights was presented to Congress Monday by Attorney General Herbert Brownell who declared that the safety of minorities depended upon its early enactment.

The program calls for a bipartisan commission to examine civil rights cases and policies, creation of a new Civil Rights division in the Justice Department, new laws to protect voting rights and Civil Court remedies. It was immediately attacked by Dixie Congressmen.

PRICE CONTROLS

Turning to other subjects, Mr. Eisenhower said that unless labor and management "act as enlightened Americans" and fight inflation the government must move in with price, wage and production controls.

Ike told his news conference that in his recent appeal to industry and the unions to hold down prices and wages he "wasn't merely asking them to be altruistic." He declared: "Their own long-term good is involved, and I am asking them merely to act as enlightened Americans."

Mr. Eisenhower's statement came on the heels of recent warnings by Treasury secretary George M. Humphrey and ex-president Herbert Hoover that a "Hair-Curling" depression will result unless astronomical government spending and other inflationary pressures can be curbed.

The President said unless business and labor cooperate the government will have to "move in more firmly with so-called controls of some kind." He added: "And when we begin to control prices and allocations and wages, and all the rest, then it is not the America we know."

Mr. Eisenhower spoke against the background not only of the Humphrey-Hoover warnings but in the context of sharp declines in the stock market.

CIVIL

WARNS

DANGER

Southerners

Are Rebuked

For Broadside

Program Would

Peril Existence,

Georgian Declares

Post-Herald
Inc. 2-8-57
B'ham, Ala.
 FROM PRESS REPORTS
 WASHINGTON, Feb. 7

— Southern witnesses denounced President Eisenhower's civil rights program today as containing the seed of a "Soviet type Gestapo."

Critics from Georgia and Alabama opened such a broadside before a House judiciary subcommittee that Northern members protested against what they called "inflammatory" statements.

"Enactment of this legislation," Atty. Gen. Eugene Cook of Georgia said, "would result in creation of a federal Gestapo which would hold needless investigations, pry into the affairs

of the states and their citizens, and intimidate a majority of our citizens solely to appease the politically powerful minority pressure groups inspired by the communistic ideologies of the police state."

Rep. Lanham (D., Ga.), appearing as a witness against the civil rights legislation, said "Stalin himself could not have conceived" as effective a surrender of local powers as the program would authorize.

Alabama Circuit Judge George C. Wallace of Clayton, Ala., told the subcommittee he was "not going to permit any unlawful interference by the federal police in my district." He said he would "order the arrest of any federal agent" who came into his judicial district and "demanded" the jury list.

Wallace said he was referring to an incident in which he said FBI agents "took over the courthouse" in Cobb County, Ga.

Chairman Celler (D., N. Y.) told Wallace this was a "high handed" statement. Celler said it was the FBI's duty to determine whether constitutional guarantees were being violated.

Rep. Keating (R., N. Y.), a subcommittee member, contended the FBI went into Georgia to determine whether Negroes were being systematically excluded from jury duty in a Cobb County assault case.

Rep. Lanham said "the FBI had no business there in the first place and the attorney general was using the FBI for political purposes."

Cook charged that the civil rights program is a threat to individual rights and states rights.

"Under these bills, a white man would be tried in two courts and given two prison sentences, whereas a Negro would be tried only in state court and receive only one sentence, even though they committed identical crimes," Cook said.

Cook said the bills "will create more problems than their authors ever hoped to overcome; they will generate more bitterness, more hatred and racial conflicts than this country has ever seen before."

The Georgia official said the national existence would be "seriously endangered" by the legislation and the bills would "precipitate more violence and bloodshed than the mind can easily comprehend."

Cook charged that the proposed presidential civil rights commission would be authorized to use the services, facilities and information of "private agencies" which "would probably be

the NAACP, the American Civil Liberties Union, and other left-wing partisan, political action groups."

"Thus, the situation would be created where governmental powers would be delegated to these private groups to investigate and harass other citizens and organizations at the expense of the taxpayers," Cook said.

Cook said that "each successive whittling down of state authority will eventually lead to one strong centralized government which, in a country as large and powerful as ours, will be uncontrollable."

In a reference to the Civil War, Cook told the committee that "it was not too long ago that this country was thrown into the bitterest conflict ever to divide our people by an issue closely identified with the one now under consideration."

Testimony favoring the legislation came from Walter Reuther, president of the auto workers union, who said it was time for Congress to change its "do-nothing record" on civil rights.

Reuther contended states, communities and labor unions are making progress in eliminating racial and religious discrimination and "only Congress has failed to act."

The union leader said there is a keener public awareness of what he called filibustering and delaying tactics by civil rights foes, and he said the prospect for "meaningful civil rights legislation" now seems better than in past years.

Legislation before the subcommittee, carrying out the Eisenhower program, would do four things:

(1) Create a federal commission to investigate reported civil rights violations; (2) create a civil rights division in the Justice Department headed by an assistant attorney general; (3) set up new laws to protect voting rights and permit the government to use court injunctions against violations; (4) provide for civil damage suits where civil rights have been adjudged to have been violated.

Celler said hearings on the legislation will continue into next week.

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COMMITTEE FOR UNITED NEGRO RELIEF
FOR NEGROES WHO SUFFER LOSS OF INCOME AS A RESULT OF THEIR FIGHT FOR CIVIL RIGHTS

NEGRO FUND—Relief *Y. H. R.*
A relief fund has been created to help Negroes who suffer loss of income as a result of their fight for civil rights. Administered by the Committee for United Negro Relief, the fund will have headquarters at 21-15 Thirty-fourth Avenue, Long Island City. The officials explained that through this fund it would be possible to give financial assistance to such persons as James Gordon of Wheatcroft, Ky., who lost his job because the Gordon children tried to attend an all-white school in Clay, Ky.

Rights Backers Win Test in Committee

Special to The New York Times
WASHINGTON, Feb. 18—A

Senate subcommittee decided 2-to-1 today to terminate its hearings on civil rights legislation March 5 for a show-down vote.

The decision of the Constitutional Rights panel of the Judiciary Committee was a defeat for Southerners who have been fighting to delay a vote on civil rights legislation.

The fight has been going on for years. The House of Representatives has passed civil rights bills but the Senate has not.

Senate rules permit a filibuster. This is the exercise of the privilege of unlimited debate so as to kill a bill by delaying a vote on it to a point where it is abandoned.

Today's subcommittee action came as the Eisenhower Administration pressed hard for the enactment of civil rights measures. Nearly twenty bills are before Congress. The administration apparently will accept any of them, if necessary.

The Administration's program would give the Attorney General the right to seek Federal Court injunctions to protect civil rights, create a commission to investigate civil rights violations, set up a civil rights division in the Justice Department and give added protection to Negro voting rights.

The two new Democratic members of the subcommittee, Senators Olin D. Johnston of South Carolina and Sam J. Ervin Jr. of North Carolina were ineffective against the civil rights tide. The vote in the subcommittee was 4 to 2.

However, even if the subcommittee approves a civil rights bill, the measure must still face the full judiciary committee. This is headed by Senator James O. Eastland, Democrat of Mississippi, an unrelenting foe of such legislation.

Senators Johnston and Ervin indicated that they would demand that the full committee hold hearings. They held that the subcommittee had not provided for adequate testimony.

Rush to Attend Vote

Senator Ervin and Senator Johnston complained that they had been at early breakfasts when the news came that the panel was about to vote on a limitation of hearings. Senator Ervin did not stop to shave.

Senator Thomas C. Hennings Jr., Democrat of Missouri, the subcommittee chairman, implied that the subcommittee hearings were nearing a point of filibuster.

Long lists of Southern Governors, Attorney Generals and experts on the Constitution were clamoring to be heard. If all were heard, some proponents of civil rights suggested, the hearings might last the entire session of Congress, and perhaps longer.

In some quarters it was estimated that a filibuster, if one set in, might last from four to six weeks. It was believed that a filibuster started on or before May 1 could be overridden in time for a clean-up of the general legislative program.

On the Senate floor this afternoon, Senator Lyndon B. Johnson of Texas, the Democratic leader, asked unanimous consent for a meeting of the Hennings subcommittee while the Senate was in session. Recently there have been Southern objections to such meetings. Consent was granted only after Southern Senators had registered protests against the morning action by the Hennings group.

They argued that a precedent had been established under which any committee majority might use "tyrannical" practices to override the rest of a committee.

The subcommittee heard Senator Barry Goldwater, Republican of Arizona, argue that any civil rights program should include support of state right-to-work laws. These laws make it illegal to refuse employment to a worker regardless of whether he belongs to a union.

Johnston said that the subcommittee majority, by limiting hearings, was "taking away the constitutional rights of the people, both colored and white, to be heard."

The House Judiciary Committee plans to end its hearings on similar legislation by Feb. 26.

The subcommittee has been con-

sidering various proposals, mainly the legislation submitted by the Eisenhower administration. Today's vote was reported to have lined up Chairman Hennings (D-Mo) of the subcommittee and Sens. O'Mahoney (D-Wyo), Watkins (R-Utah) and Hruska (R-Neb) in favor of cutting off hearings and taking a vote March 5. Opposed were Sens. Olin Johnston (D-SC) and Ervin (D-NC).

The legislation is aimed against what its sponsors call the deprivation of Negroes of their civil rights, including voting rights, in some states. Southern critics have said it is unnecessary and would undercut states rights.

Last year the House passed a bill patterned after the administration's request, and a Senate Judiciary subcommittee did likewise, but it never got out of the full Senate Judiciary Committee. The House didn't pass it until July 23, four days before Congress adjourned.

This year backers of the legislation moved early, in the hopes of getting a bill before the Senate well ahead of adjournment, so as to weaken the force of an expected Southern filibuster.

If the Senate subcommittee approves a bill March 5 the legislation would still have to go through the full Judiciary Committee. The committee chairman is Sen. Eastland. Sens. Johnston and McClellan (D-Ark) said they would call for public hearings by the full committee. Ervin said he would want the full committee to hold hearings if those held by the subcommittee were not adequate. He said it seems apparent that adequate subcommittee hearings could not be held in the time allotted.

Johnston said that the subcom-

mittee majority, by limiting hearings, was "taking away the constitutional rights of the people, both colored and white, to be heard."

The House Judiciary Committee plans to end its hearings on similar legislation by Feb. 26.

RACIAL SOLUTION HELD SOUTH'S AIM

Stennis Denies Need for U.S. Program—Senator Douglas Urges Anti-Lynching Law

WASHINGTON, Feb. 15 (AP)—A Southern Senator pleaded today that the South be allowed to settle its own racial relations problem and a Northern Senator plumped for a Federal anti-lynching law.

Senator John C. Stennis, Democrat of Mississippi, opposing proposed Federal legislation in the civil rights field, said that nobody can solve the South's racial problem but "the patient leaders of both groups in the south."

"When the agitation ends and the outsiders leave," he added, "then we will have to go back to rebuilding good relations."

Senator Paul H. Douglas, Democrat of Illinois, in urging that an anti-lynching bill be added to the Federal civil rights program, declared: "Our treatment of the Negro is a national sin."

He urged also a measure to make bodily attacks on uniformed members of the armed forces a Federal offense.

Court Rulings Challenged

The Senators testified at a Senate Judiciary subcommittee hearing on the Administration's civil rights program. The Administration measure



Associated Press Wirephoto

SILENCER: Senator Everett M. Dirksen of Illinois muffles public address microphone during conversation with Attorney General Herbert Brownell Jr., right, at a hearing of the Senate Judiciary subcommittee on the Administration's program and other civil rights measures. With Attorney General is William P. Rogers, who is Deputy Attorney General.

Showdown In Committee Won By Rights Backers

WASHINGTON, Feb. 18 (AP)—Backers of civil rights legislation won a victory today in a 4-2 decision by a Senate judiciary subcommittee to take a showdown vote on the bill March 5.

was sponsored by Senator Everett M. Dirksen, Republican of Illinois, who sat in during today's questioning of Mr. Brownell. Senator Dirksen is a member of the Judiciary Committee, which will pass on the legislation after the subcommittee reports.

Senator Stennis said that the Supreme Court decisions against school segregation and agitation for civil rights bills in Congress and elsewhere were only setting back good race relations in the South.

Asserting that it is "a sad day" when the public schools "are handled by courts and politicians in such a fashion that they have to be operated through injunctions and criminal statutes," he commented:

"We are not going to build a school system in the South on injunctions of the Attorney General."

The hearing was marked by peppery exchanges between Attorney General Herbert Brownell Jr. and Senator Sam J. Ervin Jr., Democrat of North Carolina, a subcommittee member.

The subcommittee received a statement from Senator Herman E. Talmadge, Democrat of Georgia, contending that the Administration program offered "a grave threat to the civil rights of all Americans, whether they live in Chicago or Atlanta, Oregon or Maine."

Senator Ervin, after long jousting with Mr. Brownell, commented: "I sometimes think that all this agitation about racial relations is impairing our national sanity. Otherwise, I don't see how a man with the legal background of the Attorney General can come here and ask us to make these fundamental alterations in our laws."

The Administration is seeking authority, as one phase of its program, to have the Attorney General handle civil rights cases in the civil courts, through injunction proceedings.

A Yale-Harvard Match

Senator Ervin, spearheading Southern opposition to the program, argued that Mr. Brownell had failed to show "any specific conditions" warranting enactment of what he called such a "drastic remedy."

Mr. Brownell is a graduate of Yale Law School, class of '27, and Senator Ervin took his law degree at Harvard in '22.

"I'd have to grade you zero on that," Mr. Brownell told Senator Ervin at one point in the argument.

"If we're going in for grading," retorted Senator Ervin, a former member of the North Carolina Board of Law Examiners, "I'd say you were 99 and 99/100 per cent wrong on that."

Senator Ervin frequently accused the Attorney General of dodging his questions. He re-

marked at one point that if he were a carnival operator he would want Mr. Brownell for the booth where a man sticks his head through a hole in a canvas backdrop and dodges baseballs thrown at him.

"I don't believe they'd ever hit you," he commented.

Mr. Brownell grinned. The Attorney General said that over the years, and in recent years, too, "there have been a great many violations of the civil rights of our citizens," such as the right to vote.

Offers to Show Records

Pressed for examples, he snapped that he couldn't be expected to "turn myself into an F. B. I." He then made an offer to submit court records.

Senator Ervin contended that the proposed injunctions procedure would deprive some citizens of the right of trial by jury. Under the present system, he said, the Government must follow the criminal indictment route in such cases and that route guarantees to the defendant a jury trial.

Mr. Brownell declared that Senator Ervin, in expressing a fears about what might happen under the injunction plan, was in this position:

"What it comes down to, Senator, is that you, an ex-judge, do not have confidence in the judicial system of this country. I'm amazed that you take that position."

Senator Ervin replied: "What it comes down to is that I consider the right of indictment, of trial by jury and cross-examination of witnesses so sacred that I never want them taken away from any individual."

He added that he feared "a politically minded Attorney General" could use the proposed legislation "to intimidate election officials throughout the United States."

After a morning session of two and a half hours Mr. Brownell was excused until tomorrow. Senator Ervin said he had a lot more questions to ask.

Civil Rights Backers Win March 5 Vote

Supporters Succeed In Fight To End Hearing On Proposal

WASHINGTON, Feb. 18 (AP)—Backers of civil rights

legislation won a victory today in a 4-2 decision by a Senate Judiciary subcommittee to take a showdown vote on the bill March 5.

The subcommittee has been considering various proposals, mainly the legislation submitted for the Eisenhower administration by Atty. Gen. Brownell.

Today's vote was reported to have lined up Chairman Hennings (D., Mo.) of the subcommittee and Sens. O'Mahoney (D., Wyo.), Watkins (R., Utah) and Hruska (R., Neb.) in favor of cutting off hearings and taking a vote March 5. Opposed were Sens. Olin Johnston (D., S. C.) and Ervin (D., N. C.).

The legislation is aimed against what its sponsors call the deprivation of Negroes of their civil rights, including voting rights in some states. Southern critics have said it is unnecessary and would undercut states rights.

Last year the House passed a bill patterned after the administration's request, and a Senate judiciary subcommittee did likewise, but it never got out of the full Senate Judiciary Committee. The House didn't pass it until July 23, four days before Congress adjourned.

This year backers of the legislation moved early, in the hope of getting a bill before the Senate well ahead of adjournment, to weaken the force of an expected Southern filibuster.

If the Senate subcommittee approves a bill March 5 the legislation would still have to go through the full judiciary committee. The committee chairman is Sen. Eastland (D., Miss.), who opposes it.

Sens. Johnston and McClellan (D., Ark.) said they would call for public hearings by the full committee. Ervin said he would want the full committee to hold hearings if those held by the subcommittee were not adequate. He said it seems apparent that adequate subcommittee hearings could not be held in the time allotted.

Johnston said that the subcommittee majority, by limiting hearings, was "taking away the constitutional rights of the people, both colored and white, to be heard."

The House Judiciary committee plans to end its hearings on similar legislation by Feb. 26.

Some additional pressure was brought over the week-end when the new advisory Council of the Democratic Party, meeting

at San Francisco, adopted a resolution urging Congress to pass civil rights legislation at this session.

The Eisenhower program calls for a federal commission to consider civil rights complaints, a new civil rights division in the Justice Department, and authority for the attorney general to bring injunctions to protect voting rights and other civil rights.

The Senate granted permission to the subcommittee to meet this afternoon, while the Senate was in session, although a single objection could have blocked this.

Ervin told the Senate the subcommittee action in cutting off hearings "would stand as a precedent for a majority of a subcommittee to practice tyranny."

He said the situation was "without precedent" but Sen. Dirksen (R., Ill.) said it has been rather common practice to set a cutoff on testimony on controversial legislation.

'Our patience is running out,' Wilkins warns Senate group

WASHINGTON—The colored American's long patience in the face of "continuous violence" may be nearing an end, Roy Wilkins, NAACP executive secretary, told a subcommittee of the Senate Judiciary Committee here this week.

Mr. Wilkins was supplementing his testimony before the committee on behalf of 25 national organizations on Feb. 19.

He warned committee members that he could not "predict what mood would be engendered" among colored citizens if Congress failed to pass legislation assuring them "a minimum safeguard of the constitutional rights which have been so long denied them."

MR. WILKINS TESTIFIED on behalf of pending civil rights measures which would provide civil remedies against interference with the right to vote and authorize the Department of Justice to initiate civil suits on behalf of persons deprived of their civil rights.

It would also set up a special civil rights division in the Justice Department and establish a bi-partisan commission to investigate violations of civil rights.

Queried by Sen. Sam J. Ervin (D., N. C.), the NAACP leader agreed that the voting rights of colored citizens in North Caro-

SOUTH GAINS SUPPORT IN CIVIL RIGHTS FIGHT

But Proxies Beat Out Flood Of Amendments To Bill

House Committee

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, March 13.

Dixie members of the House Judiciary Committee gained support Wednesday as they continued to bombard the Administration's civil rights bill with amendments.

The amendment was defeated by the narrow vote of 14-13, another by 15-12.

Proxies Bring Victory

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The difference was that only 20 of the 32 members were present, and a number of the absentees, most of them favorable to the bill, had given proxies to like-minded members who were present.

It was these proxies that defeated an amendment 14-13 that would have been adopted 13-7 if it had been voted upon only by those present. The other one would have won 12-7.

"You can't convince a man if he isn't present," wryly observed Representative E. L. Forrester (D., Ga.), one of the committee's nine Southerners, all of whom were present.

As Wednesday's session ended, under discussion was an amendment that would strike "unwarranted economic pressures" as one of the subjects the proposed Federal Civil Rights Commission could investigate.

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South Backs Passage

It was offered by a New York Republican, Representative William E. Miller, and Southerners were hopeful it would attract sufficient support to be adopted when it is voted upon Thursday.

Defeated 14-13 Wednesday was an amendment to prohibit any accused person from being required to leave his home state, against his will, to appear before the proposed Federal Civil Rights Commission.

Defeated 15-12 was an amendment that would have tightened the rules of the commission.

Civil Rights Bills Rapped

Inquirer Wed 4-17-57 Philadelphia, Pa.

By KATHERINE DUNLAP

Inquirer Reporter

WASHINGTON, April 16.—President Eisenhower's big peacetime budget received a rough going-over today during the second session of the 66th Continental Congress of the National Society of the Daughters of the American Revolution. High point of the business agenda was the reading of resolutions by Mrs. T. Bentley Throckmorton, of Des Moines.

Although discussion and vote are not scheduled until tomorrow, there was no doubt about the sentiments of the delegates on several of the measures. A round of applause rang through Constitution Hall as the Eisenhower budget was termed "incredible." The measure also stated that current taxes "already are approaching confiscation" and the only alternative is to reduce Federal expenditures.

CIVIL RIGHTS BILLS HIT
The Daughters also heartily approved five other resolutions. One criticized "an increasing tendency" of the Federal Government to encroach on states' rights and demanded that Congress "reject all pending civil rights legislation and recognize the rights of states to protect all citizens as provided in the Bill of Rights."

Other popular measures were on the international level. There was emphasis on the fact that Britain has announced there will be no conscription, and a request that the President not "transfer any of the U. S. armed forces to the United Nations or any international command, but to rely solely upon voluntary enlistment in any U. N. police force."

RED CHINA ASSAILED
Another resolution reiterated the DAR stand against Red China and asked Congress to adopt legislation withdrawing the United States from the United Nations if Red China is admitted. The resolutions also urged that American support be withdrawn from the International Labor Organization, which is, it said, "Detrimental to the freedom of the American workman."

Other measures on which the Daughters will take a stand are resolutions calling for withholding contributions to UNESCO, re-

affirmation of DAR support of the McCarran-Walter Immigration and Nationality Act, opposition to socialized medicine, establishment of an agency to supervise American activities in Antarctica and establish legal territorial rights there for the United States. Mrs. Frederic A. Groves, president general, announced new membership totals of the national society in her annual report. As of this congress, she said, there are 185,889 members in 2825 chapters located in this country and abroad.

She also told delegates that "any patriotic and conservative organization will be under fire in these critical times, but we have a magnificent record of service and have every reason for pride in the national society."

CONTROVERSY RECALLED

These remarks were made in a brief reference to a "controversy" in Denver during February "concerning the use of the U. S. Flag by a Mexican boy."

At that time a Lincoln's Birthday observance was canceled in Golden, Colo., when a DAR official said Mexican boys should not carry the American Flag. The remark, made by Mrs. Charlotte Rush, patriotism chairman, touched off a nationwide reaction. She maintained her remarks had been misunderstood and then resigned her chairmanship in the Denver chapter.

PENNSYLVANIA DAY

As far as the Keystone State delegation was concerned, today was Pennsylvania Day. Mrs. Allen L. Baker, of State College, and Mrs. Joseph Vallery Wright, of Penn Valley, State regent and vice regent, headed the receiving line in the Shoreham Hotel foyer as some 350 Pennsylvania women arrived to shake hands with the top brass and to attend the organization's annual luncheon festivities.

Among the guests of honor

were Mrs. Herbert Patterson, of Wilkesburg, corresponding secretary general of the national society and a past State regent; Mrs. Harlow B. Kirkpatrick, of Pittsburgh, another past State regent; Mrs. Edward Martin, wife of the Pennsylvania Senator, who is a member of the Philadelphia Chapter, and Mrs. Carroll D. Kearns, wife of the Pennsylvania Congressman.

The speaker was Congressman James E. Van Zandt (R., Pa.), a member of the Armed Services Committee, who told the women the President's budget should be cut, but not at the expense of the armed forces.

As an evidence of the progress being made in nuclear-powered craft, he said, the submarine Nautilus has traveled 63,000 miles on a quantity of uranium the size of a golf ball. Had it been Diesel-powered, he said, it would have required 2,225,000 barrels of oil.

CONTEST WINNERS

Miss Calla L. Stahlmann, Pennsylvania chairman of good citizenship, announced the names of winners in a State-wide competition for high school students. Top winner was Nancy F. Rider, of the Indiana High School. She received a \$100 U. S. Savings Bond.

High scorers in the Eastern Pennsylvania area who were presented with DAR commemorative silver spoons were Patricia Canfield, of Nativity High School, Pottsville; Patricia Cartwright, of the Allentown High School and Rachel Spangler, of the West Chester High School.

D.A.R. Asks Rejection of Rights Bills Hits U.S. Budget As 'Incredible'

WASHINGTON, Apr. 18 (AP).—The Daughters of the American Revolution asked Congress today to reject all pending civil rights bills and to cut the Federal budget, described as "incredible."

The D. A. R. convention also approved resolutions advocating that the McCarran-Walter Immigration Act be continued without change, and asking Congress to take this country out of the United Nations if Red China gains a United Nations seat.

The D. A. R. approved twenty-four resolutions in an hour, many of them without any opposition. Twenty standing "no" votes were registered on the resolution declaring the D. A. R.'s "adamant opposition" to Red China's admission to the U. N.

Stress States Rights

The civil-rights resolution, which drew a lone "no" vote, said "the gravest peril" to civil liberties is an "increase tendency of the Federal government to encroach upon and absorb functions properly belonging to the several states."

The delegates also called upon Congress to prevent any usurping of Constitutional powers by any one branch of government.

Another resolution adopted by the 2,237 voting delegates attending the D. A. R.'s sixty-sixth Continental Congress urged Congress to withdraw support from the International Labor Organization because the United States "is constantly outnumbered and outvoted by Communist representatives" in the body.

Opposes U. S. School Aid

Other resolutions put the D. A. R. on record in opposition to Federal aid to education "in whatever guise"; called for loyalty oaths for all school teachers and administrators; warned of Communist propaganda in churches and urged church

members "to seriously study the psychology of subversion in order to distinguish between the word of God and the voice of Moscow."

The resolution urging retention of the McCarran-Walter immigration act was approved after the delegates heard Richard Arens, staff director of the House Committee on Un-American Activities, say destruction of that law is "the No. 1 target of the Communist conspiracy."

Russell, at D. A. R., Hits High Court

Herald Tribune July 4-16-57 p. 17
Says Rulings 'Cripple' States' Rights, Cites 'Founding Fathers'

New York, N.Y.
WASHINGTON, Apr. 15 (AP).—

Sen. Richard B. Russell, D., Ga., attacked Supreme Court rulings and civil rights bills tonight as "disastrous and degrading blows" to states rights.

In a speech to the Daughters of the American Revolution, Sen. Russell said constitutionally guaranteed state power cannot survive many more such "crippling attacks."

He said the Supreme Court decisions on state sedition laws and proposed civil-rights legislation pose a threat to individual rights and liberties as well.

Sen. Russell and Sen. William F. Knowland, R., Calif., were keynote speakers at the colorful opening session of the D. A. R.'s Sixty-sixth Constitutional Congress. President Eisenhower sent a message of greeting which was read by Mrs. Frederic A. Groves, D. A. R. president-general.

Mr. Eisenhower told the Daughters that the "responsibility for progress belongs to us." He said the "great public building and monuments" of Washington are the result of "efforts and sacrifices" of the Founding Fathers and generations of Americans.

"We must continue to advance the causes of freedom, honor and service for the good of our whole country and the hope of a free world," the President said in his brief message.

Fathers "Shocked"

Sen Russell said the Founding Fathers would have been "shocked" at the Supreme Court decision which gave Federal courts precedence over state sedition laws.

He said it would have been impossible to have convinced the authors of the Constitution and the Bill of Rights that a Federal court "would ever hold that a sovereign state was powerless to enact and enforce laws against Communist subversion which occurred within its borders."

Sen. Russell said pending civil-rights bills, including one indorsed by the Administration, are "repugnant" to American tradition and "proposed to employ methods of the despised police state."

ON CIVIL RIGHTS LEGISLATION

Demo Council Prods Dixie Ranks

Montgomery, Ala. did not go as far as the San Francisco speech last night by Adlai Stevenson.

The Democratic National Advisory Council prodded Southern Democrats in a resolution released today to enact pending civil rights legislation at this session of Congress.

Feb. 17 UP—The council said: "The Democratic members of the United States Senate and the House of Representatives are hereby urged to proceed, during this first session of the 85th Congress, to enact pending legislation introduced by Democratic members in their unflagging efforts to eliminate discriminations of all kinds in relation to the right to vote and to engage in gainful occupations; and the other specific discriminations mentioned in the planks on civil rights embodied in Democratic platforms."

The resolution calls upon the Democratic congressional majority generally to take prompt action to put the party's platform pledges into effect.

It was clear, however, that the declaration was directed primarily at Southern members who have managed to obstruct civil rights legislation in the past.

Democratic National Chairman Paul Butler told newsmen the resolution was opposed only by Mrs. Lennard Thomas, of Montgomery, Ala., an alternate member of the Democratic National Committee's Executive Committee.

Butler said the only two other Southerners on the council voted for the resolution. They were National Committeeman Camille F. Gravel Jr., of Alexandria, La., and National Committeewoman Mrs. Benjamin Bryan Everett, of Palmyra, N.C.

Asked whether the policy expression would be acceptable to Southern Democrats, the party chairman said that the resolution was completely within the framework of the 1956 Democratic platform and that "no member of the party would be justified in objecting."

The 23-member council also adopted statements supporting immediate statehood for Alaska and Hawaii and deploring the recent conduct of foreign policy by the Eisenhower administration.

Declaring that the administration's position on the Middle East had "served to bring us to the most dangerous crisis since the war," the statement, however,

did not go as far as the San Francisco speech last night by Adlai Stevenson.

The party's titular chief advocated a course of action "even at the risk of war."

The council said: "Russian influence has penetrated the Middle East for the first time in history. Israel is again isolated. The Suez Canal is still closed, its future unsettled."

"The economy of Western Europe is imperiled by the fuel shortage. Our great Western alliance, which is indispensable to our security, is endangered."

Butler confirmed that former U.S. Sen. Herbert H. Lehman of New York was seated yesterday as the ninth member-at-large of the advisory council. The other 14 comprise the entire executive council of the Democratic National Committee.

The Council includes such other party notables as Stevenson, former President Truman, Mrs. Franklin D. Roosevelt, Gov. G. Mennen Williams of Michigan, Gov. Averell Harriman of New York and Mayor Raymond Tucker of St. Louis. Sens. Hubert Humphrey of Minnesota and Estes Kefauver of Tennessee are the only congressional members.

The resolution on civil rights makes no mention of the Supreme Court decision outlawing segregation in public schools. It notes that the Democratic party at national conventions has "time after time" adopted platforms containing specific pledges on civil rights.

Democratic members of both houses of Congress over a long period of years have introduced and supported civil rights legislation which was consistently sabotaged by the Republican leadership," it continues.

"Republicans are attempting to create the false impression that they originated civil rights proposals which they have belatedly copied from Democratic measures."

The council asserted there has been "a woeful lack of concern by President Eisenhower and those he has entrusted with ad-

SENATOR PAUL H. DOUGLAS CHIEF CHAMPION, CIVIL RIGHTS BILL

Douglas Takes On South

Times Wed. 6-12-57
A View That the Senator Is Emerging
As Chief Champion of Civil Rights Bill

New York By JAMES RESTON
Special to The New York Times

WASHINGTON, June 11—

Senator Paul H. Douglas, Democrat of Illinois, is emerging as the most effective advocate of the Eisenhower Administration's civil rights bill in the Senate.

The white-thatched professor from the Middle West is contending with another powerful orator in the Democratic party, Senator Sam J. Ervin Jr. of North Carolina, for domination of what promises to be the most acrimonious debate of the session.

Every few days now, Senator Douglas appears on the floor armed with heavy catalogues of facts, to prove that the Negro in the South is being deprived of his right to vote in Federal elections.

Here is just a sample of his statistical armory from yesterday's installment:

In Alabama only 10.3 per cent of Negroes over 21 years old in the 1950 census were registered to vote.

In Blount County, Ala., "There are 429 potential Negro voters, but not a single Negro has voter registration."

In Bullock County, there are 5,425 potential Negro voters, but only six Negroes are registered.

In Clay County, there are 1,010 potential Negro voters, as of 1950, but not one of them is registered.

In De Kalb County, there are 443 potential Negro voters, but none is registered.

In Jackson County, there are 1,242 potential Negro voters, but none is registered.

In Lowndes County, there are 8,512 potential Negro voters, but not a single Negro is registered.

In Marshall County, there are 605 potential Negro voters; not a single Negro is registered.

In Morgan County, there are 4,641 potential Negro voters; not a single Negro is registered.

In Tallapoosa County there are 5,083 potential Negro voters; not a single Negro is registered.

In Wilcox County there are 8,218 potential Negro voters; not a single Negro is registered.

single Negro is registered.

And on to Other States

On he goes from Alabama to Arkansas and Georgia, reeling off figures compiled by the research office of the Southern Regional Council.

"For the State of Arkansas as a whole," he said, "according to the 1950 census, there are 410,342 non-whites of 21 years and over, but in the whole state only 67,851 Negroes were registered, or 16.5 per cent of those who would be expected to be eligible."

"In Georgia, the total number of potential Negro voters in 1950, 18 years of age and over, was 633,679. * * * In 1956, the number of Negroes was 163,389, or only 25.6 per cent of those who are potential voters."

The Senator for Illinois fills the pages of The Congressional Record with comparable figures for the other states in the South; only 25.3 per cent of those registered in South Carolina; 20 per cent in Virginia, and in Mississippi, only a fraction over 3 per cent.

Against this torrent of figures, Senator Douglas presents his argument in favor of the Administration's bill. It would protect the Negro's right to vote through the use of a Federal court injunction, and authorize the judges in the Federal courts to bring contempt proceedings against anyone who violates the injunction.

This has been by characterized by Senator Ervin as an "insulting and insupportable indictment of a whole people * * * as drastic and indefensible a legislative proposal as was ever submitted to any legislative body in this country."

Accordingly, Senator Ervin and his supporters have succeeded in getting the Senate Judiciary Committee to amend the bill so that anyone charged with defying a Federal court injunction in a civil rights case would have a jury trial.

Douglas Replies

Let's see what this means, Senator Douglas tells the Senate.

"This amendment in practice," he declares, "will nullify the protection of the right to vote."

which the civil rights bill is designed to protect. * * * In the State of Arkansas, in the Parish of Orleans, which includes the City of New Orleans, and in the States of Mississippi, South Carolina and Texas, a person must be eligible to vote in order to be competent to serve as a grand or petit juror in the state or parish. * * * Thus, the jury trial amendment, when coupled with the existing denial of the right to vote to thousands of Negroes, merely sets up [this] cycle:

"First. Negroes are denied the right to vote.

"Second. A civil-rights bill, we hope, is passed by Congress to protect and defend that right.

"Third. An amendment is, however, added to provide jury trials for those who have prevented Negroes from voting.

"Fourth. By law, Negroes are excluded from jury lists because these lists are composed, by law in five states and by practice in many other, of those who are on the voting lists.

"Fifth. Therefore, the juries often would be composed predominantly of those whom the defendant has given the privilege of voting and largely excludes those or those groups who have been denied the right to vote.

"Sixth. These jury members in turn would find it very difficult to exercise their fair judgment in civil-rights cases.

"They will be making decisions in many cases where there exists an atmosphere of tension, coercion, threats and intimidation. If they support a Federal judge's order protecting the voting rights of Negroes, they know they will be exposed to economic pressure and possibly to physical violence. This would be true, in particular, of those jurors who might be willing on grounds alone of justice to support the order of a Federal judge."

None of this, however, persuades Senator Ervin and his Southern colleagues. For every fact presented by the Senator from Illinois, the Senator from North Carolina has a string of citations on the basic right of trial by jury.

He brushes aside Senator Douglas's assertion that trial by jury in such injunction contempt cases "is a new, unique, and radical reparture from the precedents of our law," and proclaims with great eloquence that "government by injunction is abhorrent to those who love our constitutional and legal systems."

Thus the debate is joined, and he declares, "will nullify the protection of the right to vote."

Sep. Douglas Urges Modification Of Senate Gag Rule

Atlanta By LOUIS LANTIER

WASHINGTON, D. C. (NNPA)—Urging modification of the present Senate cloture rule, Senator Paul Douglas, Democrat, of Illinois, told the special Rules subcommittee that he is "extremely doubtful" that "any meaningful civil rights" bill can be passed by Senate under its existing rule.

But, if civil rights legislation is defeated by a filibuster, he said popular indignation against Senate talkfests "will undoubtedly become more tense" and more than 38 votes will be cast in 1959 to change Rule 22—the Senate cloture rule.

At the beginning of the 83rd Congress in January 1953 a group of liberal Senators attempted to have the Senate adopt new rules. It was their contention that the Senate of each new Congress had the right to adopt new rules.

Sen Clinton P. Anderson, Democrat of New Mexico, on January 3, 1953, moved that the Senate consider the adoption of new rules.

After a moderate amount of debate, Senator Robert A. Taft, of Ohio leader of the Republican majority, moved to table Senator Anderson's motion. The motion to table carried, 70 to 21.

On the eve of the opening of the Democratic-Controlled 84th Congress, Senate liberals caucused on the question of whether to renew the fight to change the rules. The decision was that in the interests of Democratic party harmony the fight should be postponed.

SEES MISTAKE

While he joined in that decision Senator Douglas admitted, he has since come to believe that it probably was a mistake.

Other liberal Democratic Senators reached the same conclusion and decided to bring the issue up again at the beginning of the 85th Congress last January.

After two days of debate as provided in a unanimous-consent agreement, Senator Hubert Humphrey, Democrat, of Minnesota, inquired of Vice President Nixon as to under which rule was the Senate proceeding?

This parliamentary inquiry brought from the Vice President

(DEM. CHICAGO, ILL.)

that "The right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress."

Mr. Nixon added: "Any provision of Senate rules adopted in previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of the Rule XXII in practice has such an effect."

Section 3 of Rule 22 exempts from cloture any resolution to amend the Senate rules.

By vote of 55 to 38, the Senate tabled the motion to take up for immediate consideration the adoption of Senate rules for the 85th Congress. Senator Estes Kefauver, Democrat, of Tennessee was the only Southerner to support the motion to adopt new rules.

Measure Merely

Daily World
Calls for Added

Wed. 7-3-57
Federal Protection

Atlanta WASHINGTON — Sen. Paul Douglas (D. Ill.) explained yesterday that the Civil Rights Bill that is pending in the Senate now will not "bring federal bayonets to the South" as contended by opponents of the measure.

Douglas said the use of federal troops was first established in the Whiskey Rebellion in 1790, and enacted into law with the 1870 Force Act, but it has not been exercised in this century and will not be.

ADDED PROTECTION

The Illinois Senator who first initiated the successful move to by pass the southern-dominated Senate Judiciary Committee and bring the bill to the Senate floor, said that the measure merely puts "added federal protection around the right to vote."

Sen. Leverett Saltonstall (R. Mass.) outlined the Senate Police Committee a plan whereby Republicans would work in shifts of Southerners go into an around

will provide for a referendum. The bill would go into federal courts to seek injunction to prevent or stop violations of civil rights if the injunction is ignored the offenders could be tried for contempt of court.

SENATE REFERENCE
Arch antagonist of the bill, Sen. Richard B. Russell in a speech prepared for delivery on the Senate floor, called for a nationwide referendum on the civil rights bill. Russell said he planned to offer an amendment to the bill which

Rights Act Could Hurt Press-Eastland

SENATOR JAMES O. EASTLAND

Eastland Says Rights Bill Would Force Informing

Times-Picayune
 Could Force Basing of
 News Sources, View
 Mon. 7-8-57
 By EDGAR POE

(Times-Picayune Staff Correspondent)
 WASHINGTON, July 7 — Sen.

James O. Eastland, said Sunday a majority of American newspapers have been "hoodwinked" into supporting the civil rights bill that would forcibly deprive them of one of their most stoutly defended rights.

New Orleans La.
 The chairman of the Senate Judiciary committee said a careful study of the administration's civil rights bill shows that newspapers could be forced to disclose sources of information under its provisions.

This would be accomplished, he said, through re-activation and revision of one of the "force laws" enacted during the reconstruction era. The reconstruction period followed the War Between the States.

The Mississippi Democrat declared that the long-dormant law is "aptly described as a compulsory informer act." He added: "For the benefit of the lawyers, it is section 1986 of title 42 of the United States code."

Russell Challenges White House
 The civil rights battle is scheduled to open in the Senate Monday. Sen. Richard B. Russell, a leader of the Southern opposition, touched off debate Tuesday when he rose in the Senate and challenged those in the White House and in Congress who favored the bill to let the people decide the issue by national referendum.

Sen. Samuel J. Ervin of North Carolina is scheduled to be the first speaker when the bill is called up Monday. There is no filibuster immediately in sight.

The filibuster, which assertedly protects minorities, is a time-consuming parliamentary device to prevent a decisive vote. Southern senators for years have been able to defeat so-called civil rights legislation by the unlimited debate method.

Sen. Eastland said Sunday the civil rights bill provides unlimited damages against anyone who "neglects or refuses" to

reveal information relative to any interference or violation of the so-called civil rights of others.

"In its revised and easily enforceable form," said the senator, "this law not only would apply to newspapers, and all other media of the press, but also to individuals. It would compel neighbor to inform against neighbor, brother against brother, child against parents."

Says Jury Trial Has Been Bar

The senator declared that although enacted in the reconstruction era and presently on the lawbooks, the compulsory informer act has been dormant because violations have had to be tried by jury. The bill passed by the House and now before the Senate would circumvent trial by jury and provide trial before a federal judge.

The senator declared that the study of the pending legislation shows that newspapermen, to avoid possible prosecution for damages, would be compelled to disclose all information in respect to the news sources, if the attorney general of the United States is given the broad powers sought by the bill.

The Mississippian, who fears bitterness and bloodshed if the civil rights bill is enacted to law, said other sections of the bill would prevent the federal authorities to use the Army, Navy and militia to enforce the compulsory informer acts as well as other sections of the bill.

Post + Times Herald P. 18-A.
Mon. 7-8-57
Washington, D.C.
 Sen. James O. Eastland (D-Miss.) said yesterday the Administration's civil rights bill would forcibly deprive newspapers of "one of their most stoutly defended rights — the right to conceal their sources of information."

Eastland said this would be accomplished through a reactivation and revision of a law enacted "in the inflamed Reconstruction Era."

"This long-dormant law is aptly known as the Compulsory Informer Act," he said in a statement, adding:

"It provides unlimited damages against anyone who 'neglects or refuses' to reveal information relative to any interference or violation of the so-called civil rights of others."

"In its revised and easily enforceable form this law not only would apply to newspapers and all other media of the press, but also to individuals."

"It would incorporate into modern, democratic American law some of the ugliest and most tyrannical features of Soviet Russian practices."

Eastland said the compulsory informer act has been dormant because violations have had to be tried before juries.

"Because the act patently is so unfair and un-American," he said, "it has not been enforced because prosecutors have been instinctively that juries would not convict."

"The Administration's civil rights bill would circumvent this trial-by-jury obstacle by authorizing purported violations of the Compulsory Informer Act to be tried before a judge without a jury . . ."

Senator Eastland In Action Eastland Says

EASTLAND HITS AT RIGHTS BILL

Civil Rights to Hurt Press

Many thousands of Mississippians saw Senator Eastland in action Thursday evening and were delighted with the manner in which he handled himself.

The occasion was presentation of a television film of the Martha Roundtree program over Station WJTV.

A dozen or more Washington news writers, both men and women, bombarded Senator Eastland with questions, many of them hostile, and throughout the questioning the Senator handled himself in an admirable manner. He was easily the master of the situation, answering freely, frankly, and in a most convincing manner.

"The United States Supreme Court has degenerated into a policy-making body and unless it is restrained the people will be in danger of losing all their liberties," said Senator Eastland.

One reporter hurled this question at Senator Eastland:

"Would you vote for a Catholic for President—would you support Senator Kennedy if he was the Democratic nominee?"

"I certainly would," came a quick and smiling reply from Senator Eastland. "Senator Kennedy is a fine gentleman and would make a splendid President."

The Mississippi Senator unquestionably expressed the sentiments of his home people when he said that he would not vote for the NAACP-sponsored civil rights bill, no matter how much it may be watered down or amended.

EASTLAND BLASTS CIVIL RIGHTS BILL

WASHINGTON (ANP)—In a television program originating from this city last week, Mississippi's staunch segregationist Senator James O. Eastland, a bitter foe of civil rights legislation, called the equality measure a proposal that would "destroy the American system of government."

Sees Move as Perversion of American System
By PAUL WOOTON
(Times-Picayune Staff Correspondent)

WASHINGTON, July 10 — As the debate on civil rights proceeds Sen. James O. Eastland of Mississippi is losing no opportunity to inquire if the bill does not empower the President, or some minor official to whom authority could be delegated, to use the armed forces of the United States to require compliance with a court injunction.

When Sen. J. W. Fulbright was asked that question he replied: "If there were disobedience of a court order it would be the duty of the executive to do just that. It would be the responsibility of Congress to place the executive under the duty of taking such action. A very evil theory would be put into effect by this bill. Nothing less than a war time invasion would justify the granting of these unusual powers to a court of equity."

Eastland added: "The purpose of the injunction primarily, in US courts was to preserve the status quo of property until a final decision could be reached. What this bill seeks to do is to take criminal acts which constitute a violation of the criminal code of the United States and to bring them into an equity court. That is a perversion of equity. It is a perversion of the American system of government."

Eastland also contended that were a news gatherer to obtain information that some people were conspiring, and there was about to be committed an overt act to carry out the conspiracy, that under the proposed bill, he said were he to neglect to tell the attorney general and the wrong were to occur, a damage suit may be filed against him and against his newspaper. That would provide the power to intimidate the press, Eastland said. Politicians, he continued, would also have that power.

WASHINGTON, (ANP) — Contending that civil rights legislation currently under Senate debate, is aptly known as the "Compulsory Informer Act", Mississippi's Senate Judiciary committee chairman James O. Eastland declared last week that the civil rights bill would hurt newspapers.

Eastland's theory is that passage of equality legislation would deprive newspapers of the "the right to conceal their sources of information."

Blasting the rights bill, Eastland declared, "it provides unlimited damages against anyone who neglects or refuses to reveal information relative to any interference or violation of the so-called civil rights of others. In its revised and easily enforceable form, this law not only would apply to newspapers and all other features of the press, but also to individuals."

Eastland stated that the bill would "compel neighbor to inform against neighbor, brother against brother, child against parent." He added, "it would incorporate into modern democratic American law some of the ugliest and most tyrannical features of Soviet Russian practices."

Terming the civil rights bill the "compulsory informer act", Eastland asserted that newspapers would be deprived of "their most stoutly defended rights" by the legislation.

Dixie Rights Foes Look To Ike For Compromise

'Open Mind'
Advertiser
Of President
Times 7-11-57
Raises Hopes
Montgomery, Ala.

WASHINGTON, July 10 (AP) — Southern foes of the civil rights bill were reported today to be looking to the Eisenhower administration for a compromise offer which might soften the terms of the measure.

Their hopes appeared to be aroused by a report from Sen. Russell (D-Ga.) that President Eisenhower's "mind is not closed to amendments which would clarify the bill."

Russell, leader of the Southern opposition, spent about 50 minutes with the President today. He said he had asked for the appointment to discuss the bill, with particular reference to some provisions he regards as "very extreme."

Eisenhower was understood to have made no commitments and to have mentioned no specific compromise proposals. Nevertheless, Russell was obviously hopeful that some administration move might be forthcoming.

A few hours after Russell discussed his White House visit with newsmen, Chairman Celler (D-NY) of the House Judiciary Committee complained that "there seems to be no fight in the administration."

"The President bends every wind," Celler said in a statement. "I can't see a Truman or Roosevelt — Teddy or FDR — yielding so pusillanimously."

"We liberal Democrats went on a limb in fighting for this bill,

a limb the administration now would cut off." Vice President Nixon, the presiding officer of the Senate, was quoted today as saying he "fully expects" the Senate to pass the civil rights bill "in some form" before Aug. 15. Rep. Griffin (R-Mich) reported Nixon made the statement at a breakfast meeting of freshman GOP congressmen this morning.

THIRD DAY OF DEBATE

Meanwhile, the Senate went through the third day of its debate on a motion to bring the bill to the floor.

Sen. Dirksen (R-Ill.), a longtime champion of civil rights legislation, made a section-by-section defense of the bill.

He said the government calls on Negroes to pay taxes and sacrifice their lives as soldiers, and that it should safeguard their rights as American citizens.

Dirksen scoffed at the opposition's talk about the use of "force, troops and bayonets" under authority of the bill. He said the measure simply points a way in which the country "can go forward, and we should do so."

Before the Senate recessed for the day at 7:21 p.m., Sen. Olin (D-SC) launched into a speech declaring the bill would set back race relations in the South 100 years. It would, he predicted, result in the shedding of blood, which would be "on the hands of every member here who votes to pass this legislation."

ATTACKED BY SPARKMAN

Senate debate on a motion to bring the bill to the floor entered its third day, with Sen. Sparkman (D-Ala.) attacking what he said

were the bill's grants of authority to federal judges to penalize persons for contempt of court without jury trials.

Sparkman contended the legislation's attempt to improve voting rights would strike down a

fundamental American right that had been won during centuries of struggle.

Under the bill, he said, judges could issue injunctions against local voting and school officials and then impose penalties without jury trials.

"This represents bad law," he declared.

In the course of private compromise talk on Capitol Hill it was pointed out that the administration could propose changes in the language of the bill passed by the House June 18. It was said the changes might be proposed at the proper time by Sen. Knowland of California, the Republican leader, as a result of conferences with Atty. Gen. Brownell and others.

LITTLE LIKELIHOOD
There seemed little likelihood that any proposals would be brought forward publicly until there is a vote on Knowland's motion to bring the bill actually before the Senate.

But the Southern Democrats seemed to be in a mood to accept some private, informal understandings about what would be proposed in exchange for allowing the bill to come to the Senate floor without lengthy debate or perhaps even a filibuster.

They know that delay could only result in a motion to limit debate, and they are reported to fear that supporters of the bill might get the 64 votes necessary to silence the opposition.

If that happened, the Southerners would have lost vital ground in what was at best a preliminary skirmish to prevent the Senate's taking up the bill. They feared that if 64 senators recorded themselves for a debate limitation once they would do it again when the vital question of voting on the bill was reached. That would end any filibuster, the South's most potent weapon against the legis-

KNOWLAND WANTS VOTE

Because of the maneuvering behind the scenes, some Senate leaders were saying privately that a vote on Knowland's motion might be reached by next Wednesday.

This timing might depend on whether the Southerners in the jury trials.

meanwhile received private assurances that compromise proposals on the bill's terms would be forthcoming.

Knowland wants a vote by the end of this week. He has announced he will review the situation tomorrow and then decide whether to try to force the Senate into round-the-clock sessions and thus speed up a decision.

Sen. Lyndon B. Johnson of Texas, the Democratic leader, is represented as believing a vote might be reached by next Wednesday if the Southerners are not angered by any attempt to push the Senate into 24-hour-a-day sessions.

Russell reported after his White House conference that Eisenhower is against the enactment of any "punitive" civil rights measure. "He wants a civil rights bill," Russell added, however.

PRO AND CON

The President has repeatedly described the legislation as decent and moderate, but Russell contends it would push the South back to the reconstruction era which followed the Civil War and open the way for forced racial integration in Dixie schools.

Asked whether he felt any better for having seen Eisenhower, Russell smiled and replied: "I can't say that I do."

The Georgian said he had suggested specific changes in the bill but he declined to elaborate. He was asked about possibility of a compromise. "That," he said, "would be such an assumption that I wouldn't want to make any definite statement."

Later he said "I certainly don't eliminate" the possibility of eventual agreement. He added he is hopeful the Senate won't pass an "extreme" measure.

Sparkman began speaking against the bill in the Senate shortly before noon. He held the floor for two hours and 40 minutes.

REBELLION CAUSES

He told his colleagues that one of the chief causes of rebellion by the American colonists against England was widespread use of "injunctions and summary trials."

Sparkman quoted sections of the Declaration of Independence and the Constitution on the right to a jury trial.

Sen. Douglas (D-Ill.), a supporter of the bill, intervened to say that 28 previous federal laws had identical enforcement provisions by judges without jury trials.

Several unsuccessful attempts were made in the House to attach a jury trial amendment to the bill. Sen. O'Mahoney (D-Wyo) has announced he will offer a compromise jury trial amendment at the proper time in the senate.

As he concluded his speech, Sparkman said he did not believe the bill could be amended to make it a good bill because "it is bad in principle." He said it would be "a terrible mistake" for the Senate to vote to take it up for consideration.

"Are the individual states to be robbed of their rights as minorities?" Sen. Sparkman earlier had asked the Senate Rules Committee.

"Shall a group of states from one section of the nation band together to force a law upon a second section by barring senators from the second section from the opportunity to debate that section's convictions on the Senate floor?" he asked.

Addressing himself to Sen. Herman Talmadge (D-Ga.), committee chairman, Sparkman said, "The House of Representatives represents only a geographical subdivision of each state. The Executive Branch has no direct responsibility to the states; and the Supreme Court, because of the very nature of its function and the conditions under which it was established, is effectively isolated from the individual states.

"That leaves only two senators

from each state to look after the individual and minority interests of each state. That is why it is important that the present rule requiring 64 senators to vote in favor of limiting debate, be retained.

LISTS INSTANCES

Sparkman charged that Democracy does not necessarily mean simple majority rule. He listed the following instances in which a simple majority was no power:

(1) Senate ratification of treaties requiring a two-thirds vote; (2) Senate approval of a constitutional amendment requiring a two-thirds vote;

(3) State ratification of a constitutional amendment, requiring a favorable three-fourths vote of the states; and

(4) The present rule that 64 senators (two-thirds of those duly chosen and sworn) must vote in favor of closing debate.

Senate Unit
Post Times Herald
Sidetracks
Washington D.C.
Rights Bill
Times 6-25-57
United Press

The Senate Judiciary Committee voted 7-5 yesterday to lay aside President Eisenhower's civil rights bill and consider a meatpacking anti-trust measure.

The action made clear that Senators from the South are going to continue to fight against Committee approval of the bill although a similar House-approved measure was placed directly on the Senate calendar last week.

A majority of the Senate voted to bypass the Committee on the House bill. Opponents of the legislation indicated they believed their case against the House bill would be stronger if the Senate did not have recommendations of the Judiciary Committee on any civil rights bill.

Meanwhile, Sen. Irving M. Ives (R-N. Y.) asserted that "the time-honored institution of the filibuster is ultimately doomed" in the Senate. Southerners have used the filibuster to block civil rights bills in

the past.

Ives urged a Senate Rules Subcommittee to approve legislation that would limit filibustering.

"I believe that the Senate should have the power to act if 49 or more members believe that such action is necessary," Ives said.

"I feel it is vital to an effective functioning of the democratic process that we do not continue to put ourselves in such a posture that the will of the minority can prevail in blocking a Senate decision."

The votes of 64 Senators now are required to stop a filibuster by invoking cloture.

The Republicans will not stand with the South during the upcoming civil rights fight. A majority of Southern senators are reconciled to this.

One exception will be Sen. George W. Malone (R., Nev.). There may be a few others.

The effectiveness of the Eisenhower-Adams campaign is illustrated by the fact that southern senators feel they have even lost Sen. William Jenner (R., Ind.), an ally upon whom the South could always depend in these fights.



JENNER

South can win.

There will be a southern filibuster. The degree will depend on which of two civil rights bills is taken off the Senate calendar and brought to the floor for action.

they represent may well rue the day when they urged passage of this bill," he said.

As chairman of the Labor and Public Welfare Committee, Hill said he could "foresee that the bill could possibly be used to harass either labor or management... with the evils of judicial autocracy."

'GRAVE THREAT'

He labeled the measure a "grave threat to the sacred personal rights guaranteed in the Constitution and the liberty held sacrosanct in the Bill

the President's bill. It will come over here and go to committee.

It will come out of committee by a more than two-to-one vote and go on the Senate calendar.

"It will be called up for action and we will have a wing-ding filibuster that may last about three weeks. But after that time, I believe the Senate will vote for cloture (a "gag" on debate.)

"As I see it, there will be only about 20 votes against cloture."

The rule requires affirmative action by 64 Senators to cut off a filibuster. If the Southern is as correct as he usually is in his diagnosis, civil rights advocates

South Admits Civil Rights Bill Will Win; Eisenhower Blamed

By DAVID KRASLOW
Herald Staff Writer

WASHINGTON — Most southern senators are convinced they have lost the civil rights fight.

They are convinced the other side has the power to enact a civil rights bill before the Senate recesses this summer.

This would mean the historic struggle to get a civil rights law through Congress will finally end in success this year.

Southern senators say President Eisenhower and Presidential Assistant Sherman Adams pulled the rug out from under them.

The "rug" is the support the South has always received on the civil rights issue from conservative "states rights" Republican senators from the Midwest.

Invariably it has been a coalition of southern Democrats and Midwest Republicans which held the civil rights advocates in check.

It was this voting combination which defeated every attempt in past years to enact civil rights legislation.

It is being conceded privately, however, that this traditional alliance has now been broken by strong and unrelenting pressure from the president and Adams.

If every other parliamentary maneuver failed, the South could always fall back on a filibuster to bottle up a civil rights bill.

But with the Midwest Republicans no longer at their side, southern Democrats can't keep a filibuster going.

It takes the affirmative votes of two-thirds of the 96 senators to shut off debate. As long as southern Democrats and Midwest Republicans added up to more than one-third of the votes, a filibuster could not be broken.

There will be 19 or 20 southern Democratic votes, not



ADAMS

nearly enough to prevent the rest of the Senate from smashing a civil rights filibuster after a week or two.

All but four or five southern Democrats are convinced the battle is lost. But they are determined to go down in a rough fight.

Sen. Harry Byrd (D. Va.) is the principal one among the handful who still feel the



MALONE

bills is taken off the Senate of Rights."

In commenting on Hill's speech of which observers said twice drew

Lister Hill 'Grinds Rights Bill To Shreds' In Senate Speech

WASHINGTON, D.C., July 12 (Special) — Sen. Lister Hill lashed out at President Eisenhower's civil rights bill here last night on the Senate floor in a speech which one Southern leader said "ground to shreds" the controversial measure.

Speaking for an hour and a half, Sen. Hill compared the Southerners' fight against the bill to their fight for the Norris - LaGuardia Act in 1932.

It was this act which, for the first time provided that labor union and management suits must be heard before a jury.

"We opposed then and now the arbitrary and despotic power of judges to decree law, to indict for violations of that law, to adjudicate the law and the fact in cases of alleged violations of their own judge-made law and summarily to sentence those whom they find guilty of such violations," he said.

HISTORY TRACED

Hill traced the history of what he called "judicial abuses in labor disputes" before the passage of the act in 1932. He also admonished national labor leaders that the present Civil Rights Bill "may come back to haunt them again and again."

"They and those innocent people

Sen. Sam Davis (D-NC) said he "congratulated the distinguished senator from Alabama for making... an eloquent plea for the preservation of the basic rights of all the people."

Dixiecrat Sees Rights Bill OK

By ROSE MCKEE

WASHINGTON — (INS) — An influential southern Senator predicted last week that Congress will pass President Eisenhower's Civil Rights bill at this session.

The Democrat, who is noted for the accuracy of his predictions on Senate action, said he will oppose the bill. He explained that for this reason, he did not want his identity disclosed.

But he told an interviewer: "You have asked me what is going to happen and I am giving you an honest picture as I see it. I believe the House will pass

American Council On Human Rights Hits Bias

WASHINGTON — The American Council on Human Rights

Friday urged President Eisenhower to stand firm in his "support of the bi-partisan civil rights legislation" now before the Senate.

ACHR, according to its director, John T. Blue, Jr., "believe that through this legislation the Federal government takes a strong step forward to guarantee all its citizen the right to vote." Mr. Blue added that the Council, which is composed of major college fraternities and sororities joined together to promote its civil rights programs, commends the core of the legislation which authorize the Attorney General to seek court injunctions to protect voting and other civil rights.

About the claims of Senator Russell of Georgia, that violence would follow the legislation, Mr. Blue declared to the President that ACHR "expects that neither fixed Federal bayonets will be necessary nor that violence will follow." He pointed out that violence has not followed integrated interstate travel, integrated university education, integrated living on Army and Navy bases—all in the South.

ACHR, also urged the President, should he hold conferences with Southern legislators about the legislation, to ask them what they had done to protect the right to vote.

President Says He'll Listen To Protests on Rights Bill

But He Rejects Southern Plan For Referendum

By WILLIAM S. WHITE

© New York Times News Service

Washington, July 3.—President Eisenhower made it plain today that he was taking another and a closer look at the implications of the Administration's civil-rights bill in the wake of vehement Southern attacks on it.

At the same time, he rejected a proposal from the Southern opposition that the bill be submitted directly to the people in a national referendum.

He declared at his news conference, however, that he was "ready to listen" to any presentation of their side from the embattled Southerners.

Their chief spokesman, Senator Russell (D., Ga.), denounced the bill yesterday as so "cunningly contrived" that it could be questioned whether the President himself understood its full scope.

Would Welcome Meeting

Russell was holding a strategy meeting at the Capitol with fellow senators while the President was speaking. By coincidence, they were discussing the possibility of going to him in a group to offer their views.

Told later of the President's remarks, Senator Russell observed:

"If the President wishes to talk to us on this matter, his wish—as would be the wish of any President of the United States—will be to us a command. I should be glad to meet with him in any circumstances he might prefer—alone or with others, as he might wish."

From the Senate floor, Senator Russell had charged yesterday that the author of the bill, Attorney General Brownell, had prepared a "deceptive piece of legislation" that would amount to "an unlimited grant of powers

to the attorney general to govern by injunction and federal bayonet."

Charges Pretense

The civil-rights advocates, Russell had contended, were pretending that their main concern was to protect the right to vote but in fact were seeking means to force racial integration in the South, in the schools and elsewhere, even to the point of possible use of federal troops.

The President at his press conference showed that he had been disturbed by the comments of Senator Russell, with whom he had had many agreeable past relationships.

On the point of Russell's suggestion of a referendum, the President said he doubted there was any constitutional basis for such a step; that Congress itself had the responsibility to enact legislation, and that in any case the issue would not make "a very good subject for a referendum, even if you could have one."

Didn't Rule Out Revision

On the question of Russell's general denunciation of the Brownell bill, however, Eisenhower did not entirely close the door to the possibility of some revision.

Asked whether he would be willing to see it rewritten so that it would deal specifically only with the right to vote and not implement the Supreme Court's decision outlawing school segregation, he replied:

"Well, I would not want to answer this in detail, because I was reading part of the bill this morning and I—there were certain phrases I didn't completely understand."

Southerners Take Hope

"So, before I make any more remarks on that, I would want to talk to the Attorney General and see exactly what they do mean."

The Southerners in the Senate seized on this with hope and pleasure—pleasure because Senator Russell had asserted yesterday in his speech:

"I would be less than frank if

I did not say that I doubt very much whether the full implications of this bill have ever been explained to President Eisenhower."

The President emphasized that he was not a lawyer and had not participated in drawing up the language of the measure.

'A Very Moderate Move'

"I know what the objective was that I was seeking," he went on, "which was to prevent anybody illegally from interfering with any individual's right to vote, if that individual were qualified under the proper laws of his state, and so on."

"I wanted also to set up this special secretary (special civil-rights division) in the Department of Justice to give special attention to these matters, and I wanted to set up a (federal civil-rights commission), as you will recall."

"Now, to my mind, these were simple matters that were more or less brought about by the Supreme Court (antisegregation) decision, and were a very moderate move."

Spoke of Injunctive Power

"I find that men, men that are highly respected in their states and in the Senate, have suddenly made statements, 'This is a very extreme law, leading to disorder,' and all that sort of thing."

"This, to me, is rather incomprehensible, but I am always ready to listen to anyone's presentation to me of his views on such a thing."

Thus the President at one point stated that his objective had been to protect voting rights. Later, however, he brought in the segregation decision, as he had done in his news conference last week.

At that time he described the Supreme Court's decision as "the law of the land" and in the same context he spoke of the injunctive power the bill would set up.

Definition Worries South

It is on the measure's definition of those powers that the Southerners are centering their

fire. The bill would permit the migration upon the South.

Justice Department to seek, with or without the consent of the person affected, federal court injunctions against actual or threatened violations of civil rights.

Those disobeying such writs as issued by a federal judge could be tried by the judge without a jury and fined or imprisoned for contempt.

Some of the principal civil-rights advocates have publicly agreed that these proceedings could be used against schools rejecting integration decrees.

Senators Will Start Rights Debate Monday

Washington, July 3 (P)—Senate Republican Leader Knowland of California and Southern Democratic senators announced today that the battle over President Eisenhower's civil-rights program will be joined on the Senate floor Monday.

Knowland told the senate he would move to bring the civil-rights bill before the senate early Monday afternoon.

Senator Russell (D., Ga.), leader of the Senate Southern bloc, promptly assured Knowland that some of us will be here on the floor to discuss the measure.

Ike Jolted By Attack on Rights Plan

Says He'll Restudy

It After Russell's

Charge Real Aim Is
To Force Integration

By Richard L. Lyons
Staff Reporter

President Eisenhower indicated yesterday that he is taking another look at his right-to-vote civil rights bill after Sen. Richard B. Russell's (D-Ga.) charge that its real purpose is to force inte-

President his views on the bill.

He seemed to be waiting for a direct invitation. **Rejects Referendum**

The President flatly rejected Russell's proposal that the civil rights bill be submitted to a national referendum for final approval if it passes Congress.

He said he knew of no constitutional provision for such a vote. He said he didn't know how the question would be worded on the ballot. He added that this is a question Congress was elected to act on. "There are responsible officials within the Federal Government that have to act in such cases," he said.

The President did not say that he was even considering giving in on any provisions in the bill which his congressional leaders by tremendous effort have carried intact through the House and to the Senate floor. But he clearly indicated he was disturbed by the Southern attack and was going to talk to lawyers about it.

In the Senate, Republican Leader William F. Knowland (Calif.) announced that he will proceed with plans to start the civil rights fight Monday.

Knowland said he will move early Monday afternoon to take up the bill. Russell promptly assured Knowland that "some of us will be here on the floor to discuss" it. This will set off a filibuster that could be the granddaddy of them all unless proponents agree to the Southern "jury trial" amendment or limiting the bill to voting rights.

2 Filibusters Possible

There could be two filibusters—one on Knowland's motion to take up the bill and, if that is adopted, another on passage of the bill itself.

Both sides are still mapping strategy. But it appeared likely that there will be lengthy debate but no record filibuster on the first step. This would be dictated partly by the parliamentary situation. The motion to take up the bill could not be amended. Under the rules a Senator could speak only twice on it.

Amendments to the bill could be offered forever. At that second step the Southerners could talk until they dropped or gave up or until proponents rounded

The President told his press conference that his objective was to assure voting rights for all citizens.

Asked if he would accept a bill specifically limited to protecting voting rights, the President said:

"Well, I would not want to answer this in detail because I was reading parts of the bill this morning and there were certain phrases I didn't completely understand. So before I made any more comments on that, I would want to talk to the Attorney General and see exactly what they mean."

The President seemed shocked to learn that some, like Russell, read the bill as

a plan to force integration upland of California and Southern Democrats, if necessary.

"I am not a lawyer," said the President, "and I don't participate in drawing up the exact language of proposals."

I know what the objective was that I was seeking which was to prevent anybody illegally from interfering with any individual's right to vote . . .

Favors Commission

The President said that in addition to permitting the Attorney General to seek injunctions to protect voting rights he also favored the bill's provision to set up a civil rights commission and add an assistant attorney general for civil rights.

"Now to my mind these were simple matters," he said, "and were a very moderate move."

"I find that men that are highly respected in their states and the Senate have suddenly made statements 'This is a very extreme law leading to disorder' and all that sort of thing. This to me is rather incomprehensible, but I am always ready to listen to anyone's presentation to me of his views on such a thing."

The President apparently was referring to Russell's "bayonet rule" Senate speech Tuesday. The President's remarks sounded like an invitation to Russell to come down and explain his views.

Russell told reporters he would be glad to give the

up 64 votes to cut off debate or until after the election on which a challenge is raised.

Knowland has announced plans to fight the bill through both steps this session. Another suggestion is that if the motion to consider the bill is adopted the Senate might then adjourn and make the big fight on passage next January.

South Wins Senate Committee Vote

Herald Tribune P. 6

Eisenhower Civil-Rights Bill Is Amended

June 6-4-57
By Don Kirk

WASHINGTON, June 3.—A Southern-led majority of the Senate Judiciary Committee amended the Administration's civil-rights bill today to require jury trials of persons violating injunctions against interference with voting rights.

Five Judiciary Committee members were absent when the key amendment, ardently sought by Southerners and strongly opposed by the Administration as an obstacle to enforcement, carried in the committee by a 7-to-3 vote.

Offered by Sen. Sam Ervin jr., D., N. C., the amendment was opposed by three Republicans, Sens. Arthur V. Watkins, Utah; Everett M. Dirksen, Ill.; and Alexander Wiley, Wis. One border-state Republican, Sen. John Marshall Butler, Md., joined six Democrats in supporting it. In addition to Sen. Ervin, they were Sen. James O. Eastland, Miss., the chairman, and Sens. John L. McClellan, Ark.; Estes Kefauver, Tenn.; Olin D. Johnston, S. C.; and Joseph C. O'Mahoney, Wyo.

Affects Key Section

The amendment throws a block on a key section of the civil rights bill which permits United States Attorneys to move for civil injunctions to halt interference with voting rights. Violators of such injunctions are normally tried before a judge—a relatively speedy process. The provision's supporters consider the approach important to effective enforcement.

The requirement of a jury trial, with the ensuing train of court procedures, has been urged by Southerners as a safeguard to the Constitutional rights of persons against whom injunctions are brought. But it has been vehemently opposed by Administration backers as a device that that will inevitably slow enforcement of civil rights of voters, probably to the point where cases won't be decided

By WILLIAM S. WHITE
Special to The New York Times.

WASHINGTON, July 3—President Eisenhower made it plain today that he was taking another and a closer look at the implications of the Administration's civil rights bill in the wake of vehement Southern at-

tacks on it.

At the same time, he rejected a proposal from the Southern opposition that the bill be submitted directly to the people in a national referendum.

He declared at his news conference, however, that he was "ready to listen" to any presentation of their side from the embattled Southerners.

Their chief spokesman, Senator Richard B. Russell, Democrat of Georgia, denounced the bill yesterday as so "cunningly contrived" that it could be questioned whether the President himself understood its full scope. Senator Russell was holding a one-

strategy meeting at the Capitol with fellow Senators while the President was speaking. By coincidence, they themselves about that time were discussing the possibility of going to him in a group to offer their views.

Some were at first disposed not to attempt this course, lest it be interpreted as a sign of weakness.

Russell Would Accept
Told later of the President's remarks, however, Senator Russell said:

"If the President wishes to talk to us on this matter, his wish—as would be the wish of any President of the United States—will be to us a command. I should be glad to meet with him in any circumstances he might prefer—alone or with others as he might wish."

From the Senate floor, Senator Russell charged yesterday that the Attorney General, Herbert Brownell Jr., had prepared a "deceptive piece of legislation" that would amount to "an unlimited grant of powers to the Attorney General to govern by injunction and Federal bayonet."

The civil rights advocates, Mr. Russell contended, are pretending that their main concern is to protect the right to vote, but

in fact are seeking means to force racial integration in the South, in the schools and elsewhere, even to the point of possible use of Federal troops.

The President at his press conference today showed that he had been disturbed by the comments of Senator Russell,

with whom he had had many agreeable relationships. During his military career, General Eisenhower often appeared before the Senate Armed Services Committee, of which Mr. Russell is chairman.

Rejects Referendum
On Senator Russell's suggestion of a referendum, the President said he doubted that there was any constitutional basis for such a step; that Congress it-

self had the responsibility to enact legislation, and that in any case the issue would not make a very good subject for a referendum, even if you could have one.

On Mr. Russell's general denunciation of the bill, however, President Eisenhower did not close the door to the possibility of some revision.

Asked whether he would be willing to see it rewritten so that it would deal specifically only with the right to vote and would not implement the Supreme Court's decision outlawing school segregation, he replied:

"Well, I would not want to answer this in detail, because I was reading part of the bill this morning and I—there were certain phrases I didn't completely understand."

"So, before I make any more remarks on that, I would want to talk to the attorney general and see exactly what they do mean."

The Southerners in the Senate seized on this with hope and pleasure—pleasure because Senator Russell had asserted yesterday in his speech:

"I would be less than frank if I did not say that I doubt very much whether the full implications of this bill have ever been explained to President Eisenhower."

The President emphasized that he was not a lawyer and had not participated in drawing up the language of the measure.

"I know what the objective was that I was seeking," he went on, "which was to prevent anybody illegally from interfering with any individual's right to vote, if that individual were qualified under the proper laws of his state, and so on."

"I wanted also to set up this special secretary [civil rights division] in the Department of Justice to give special attention to these matters, and I wanted to set up a [Federal civil rights] commission as you will recall."

"Now, to my mind, these were simple matters that were more or less brought about by the Supreme Court [anti-segregation] decision, and were a very moderate move."

"I find that men, men that are highly respected in their states and in the Senate, have suddenly made statements. 'This is a very extreme law, leading to disorder,' and all that sort of thing."

"This, to me, is rather incomprehensible, but I am always ready to listen to anyone's presentation to me of his views on such a thing."

Brings in Integration

Thus, the President at one point stated that his objective had been to protect voting rights; later, however, he brought in the segregation decision, as he had done in his news conference last week.

At that time, he described the Supreme Court's decision as "the law of the land," and in the same context he spoke of the injunctive power that the bill would set up.

It is on the measure's definition of those power that the Southerners are centering their fire. The bill would permit the Justice Department to seek, with or without the consent of the person affected, Federal Court injunctions against actual or threatened violations of civil rights.

Those disobeying such writs, as issued by a Federal judge, could be tried by the judge without a jury and fined or imprisoned for contempt.

Some of the principal civil rights advocates, among them Senator Thomas C. Hennings Jr., Democrat of Missouri, have publicly agreed that these proceedings could be used against school rejecting integration decrees.

Too, the President himself, in laying down his civil rights program in his State of the Union message to Congress on Jan. 10, specifically mentioned not only the "enforcement of voting rights," but this additional point:

"Amendment of the laws so as to permit the Federal Government to seek from civil courts preventive relief in civil right cases."

"Preventive relief" refers to the injunctive power.

PRESIDENT BARS BALLOT ON RIGHTS; WOULD HEAR FOES

Rejects Proposal by Russell
—for a Referendum, but
Plans to Study Bill

CITES COURT'S DECISIONS

'Ready to Listen' to South's
Arguments — Senator
Welcomes the Offer

News conference transcript
and summary, Page 13.

IKE EXPECTING TIEUP OF BILLS

New York Times
Knows Rights Battle Will

Be Long—Knowland

Aug 4-4-57
By EDWIN B. HAAKINSON

WASHINGTON, July 6 (AP)—Sen. Knowland (R-Calif.) said today President Eisenhower realizes that an upcoming battle over a civil rights bill may tie up Senate action on all administration legislative requests for eight weeks or longer.

"He is familiar with all eventualities," Knowland, Republican Senate leader, said in an interview that indicated this had been discussed at the White House.

Knowland has served notice that on Monday he will ask the Senate to take up the administration civil rights bill, recently passed by the House.

Russell Maps Battle

Sen. Russell (D-Ga.), floor leader of determined Southerners fighting the bill, has promised exhaustive debate although any actual filibuster may be delayed until after a Senate vote on the move to take up the controversial measure.

Russell already has told the Senate that the House-approved measure could cause "unreasonable confusion, bitterness, and bloodshed."

He has promised a long floor fight aimed at amending and rewriting the measure, with an eventual goal of killing it.

Won't Delay Bill—Knowland

Knowland said ahead of time that he is unwilling to put the controversy aside to act upon other noncontroversial measures which the President has asked.

Some legislative measures do have priority, such as compromises of bills that the Senate and House had previously passed in different form, or annual money bills.

Once these are called up, Knowland noted that they also come under the Senate rules for virtually endless debate and can be used as an indirect filibuster against resuming debate on civil

rights.

Expects Long Fight

Knowland said he now expects the civil rights dispute to continue "until about September first." "There should be quite a bit of legislation to consider even after civil rights is decided," Knowland said. "We probably may have to stay in session until mid-September."

Knowland mentioned the Eisenhower-backed bills for federal school aid and immigration revision as just two examples, adding that there are many more.

These are the foreign aid authorization and its separate money bill, several annual appropriations, a proposed natural gas bill, postal rate increases and numerous others requested by the President earlier this year.

"There is no real reason to adjourn this session early," Knowland said. "We have no general election this time."

Mundt Expects Compromise

On the other hand, Sen. Mundt (R-SD) predicted a compromise would be reached, permitting adjournment by mid-August.

Mundt said he expects a compromise guaranteeing the right of Negroes and other minority group members to vote without harassment. He said this would be a compromise "for which the South can't vote, but one with which the South can live."

The House bill — which Mundt said would not "be rammed down the throats of Southerners by relentless or roughshod methods" — would do these things:

Empower the federal attorney general to get injunctions to protect citizens whose civil rights — including voting rights — have been violated or threatened; set up a federal commission to investigate complaints of civil rights violations; create a special civil rights division in the Justice Department.

No Compromise—Case

Sen. Clifford Case (R-NJ) contended in a statement that civil rights opponents are talking about "compromising it before debate begins in the Senate."

"This is wishful thinking," Case said. "Most of us in the Senate feel the bill is moderate and modest. . . basically, the legislation assures all Americans the

right to vote, a right which should have been theirs long, long ago."

At the same time, Sen. Sparkman (D-Ala.) said it "seems a shame that we will be forced to waste so much time because integrationists led by President Eisenhower and Vice President Nixon are determined to get a civil rights bill through the Senate this session."

Sparkman said in a statement that the Republican party has "a political rather than humanitarian interest. . . trying to stampede the Negro into its fold on a wave of mass hysteria over the question."

Civil Rights Bill Nears Showdown

Birmingham Ala.
**House OKs President's Plan
For New Bipartisan Commission**

WASHINGTON, June 11 (U.P.)—The House handed President Eisenhower a first-round victory today by voting tentatively to create a new bipartisan commission to investigate alleged civil rights violations.

But Southern Democrats fighting the measure also won a victory when they pushed through an amendment to the President's civil rights bill to restrict the subpoena powers of the proposed commission.

Plunging into showdown voting on the controversial measure, the chamber also rejected an effort to kill the bill outright. Another plan to set up a commission to help relocate Southern Negroes in non-segregated states was ruled out of order.

House members gave tentative approval to the civil rights commission in rejecting, 127 to 88, a proposal by Rep. H. R. Gross (R., Iowa) to strike authority for it from the bill.

But they then adopted by a standing vote of 116 to 89 an amendment by Rep. J. Carlton Loser (D., Tenn.) to bar the commission from subpoenaing a witness to testify outside his home state.

Adoption of Loser's amendment was greeted with applause from the Dixie lawmakers.

The chamber then quit work on the bill until Thursday when it will consider whether to further restrict the commission's proposed rules, duties and powers.

Loser's amendment would per-

mit witnesses to be subpoenaed to testify only at commission hearings in their own states. The original measure would have allowed them to be subpoenaed anywhere in the United States but the House Judiciary Committee limited this to their judicial district.

The Gross proposal to eliminate the commission entirely was rejected following more than two hours of debate marked by cries of politics and Southern charges that Northern backers of the bill did not have clean hands on the discrimination issue.

If he agrees to modify the bill to separate the question of racial integration in the public schools from the question of the Negro's right to vote, the possibilities of a compromise will open up.

If, however, he insists on the present language of his bill, which meshes the right to vote with the more inflammatory issue of racial integration, then the prospect is for one of the fiercest debates of the century.

COMPROMISES ANYWAY

More than that, if the President insists on the present bill, the prospect is not only for a fierce and divisive debate at a time when the Western nations can ill afford to emphasize disunity, but for a debate that will end in compromise anyway.

Therefore, a talk in the Senate cloakrooms when the formal debate started on the floor this afternoon was on this central question of trying to avoid a protracted and acrimonious filibuster by trying to get a compromise agreement on the right to vote.

The President has already made clear that the main objective he had in mind for this legislation was voting.

VOTING RIGHT

He told reporters in his news conference last week: "I know what the objective was that I was seeking, which was to prevent anybody illegally from interfering with any individual's right to vote, if that individual were qualified properly under the proper laws of the state, and so on. . ."

To achieve this objective, the bill authorized the attorney general to institute civil proceedings in the federal courts against any persons thought to be illegally interfering with a qualified citizen's right to vote. Under this part of the bill, a federal judge

could issue an injunction against such action, and if the injunction were defied the federal judge, without a jury trial, could try the defendants for contempt of court.

DOUBLE APPLICATION

What the Southerners have concentrated on, however, was the fact that this same process could be applied under the administration's bill, not only to restrain those who sought to violate a citizen's right to vote but to restrain those in the South who have been opposing the Supreme Court's order against racial segregation in the public schools.

This is the most controversial aspect of the debate. This is what is giving point to all the charges about a "cunning" bill presented as "right to vote" legislation when, according to the Southern opposition, it could be used to compel racial integration.

"I find," said the President last week, "that men that are highly respected in their states and the Senate have suddenly made statements: 'This is a very extreme law, leading to disorder,' and all that sort of thing. This, to me, is rather incomprehensible, but I am always ready to listen to anyone's presentation to me or his views of such a thing."

DID NOT UNDERSTAND

These remarks have put a somewhat different view on the case. For on this legislation, as on the budget and the U.S. disarmament proposals, the President seems to be saying that he did not see all the implications in his proposals until after they were made public. Indeed, on the civil rights bill, the President conceded that he did not understand some of the language in the bill last week, though it was originally proposed in its present form in the spring of 1956.

Modifying the bill now, however, will be difficult, just as modifying the budget and the disarmament proposals after they are announced. The Republicans in the House, at the urging of the attorney general, have gone down the line for the bill as it is. They have beaten down all efforts to amend it. They have

Senators Expecting Ike To Signal Compromise

Atlanta Ga.
By JAMES RESTON
(Copyright 1957 by The New York Times Co.)

WASHINGTON, July 8—The course of the civil rights debate, it now appears, will be determined in large measure by the decision of President Eisenhower.

sent it to the Senate, and the men who piloted the bill in the House fight are naturally reluctant to have the administration change it now.

They fear, also, that once the bill is amended in the Senate, it will have to go to conference with Senate conferees who will be selected by the chairman of the Senate Judiciary Committee, James O. Eastland of Mississippi. And this, they feel, would offer endless opportunities for delay and probably end without any legislation in this session.

Moreover, the Republicans, like the Southern Democrats, have a large political stake in the outcome. The GOP demonstration in the elections of 1956 that by championing civil rights against the Southern Democratic congressional committee chairman, they can break the hold the Democrats have had on the Negro voter in the North ever since 1928. This they intend to do again in 1958 and 1960, and therefore they do not relish the thought of amending their present bill.

Newertheless, even on the first day of the debate, the trend is toward compromise.

Rights Bill Persecutes Nobody, President Says

WASHINGTON, June 19 (AP)—President Eisenhower today described administration civil rights legislation as the "moderate, decent thing to do."

Shortly after Eisenhower told his news conference the measure did not aim at "persecution of anybody," Sen. Knowland (R-Calif.), made the first move in the Senate to hasten debate on the bill. The showdown on his strategy is expected tomorrow.

Eisenhower was asked if he would recommend that Senate Republicans seek an extended Senate session in hopes of wearing down a Southern filibuster.

SHUNS INTERFERENCE

The President replied that he doesn't like to comment on congressional procedures, "because it is their business, and it is not for me to interfere to say how they shall do things."

But he quickly added that he did have a word to say about the civil rights bill. It was, he said, "designed and conceived in the thought of conciliation and moderation, not of persecution of any-

body."

He recalled that after the Supreme Court outlawed public school segregation, newsmen asked him whether he planned to send troops into the South to enforce the decision.

GOOD WILL

"There was a great deal of stir," he said, "and it was time. As I saw it, for moderation and the development of a plan that everybody of good will could support."

That plan has now been developed but "I have been very badly disappointed" with the reaction of some people to it, he said.

President's Statement On Rights Bill Voting

Washington, D.C. P. 17-a
Following is the text of the statement issued by President Eisenhower after the Senate had voted to take up the administration's civil rights bill:

I am gratified that the Senate, by a vote of 71 to 18, has now made H. R. 6127 the pending business before that body.

The details of the language changes are a legislative matter. I would hope, however, that the Senate, in whatever clarification it may determine to make, will keep the measure an effective piece of legislation to carry out these four objectives—each one of which is consistent with simple justice and equality afforded to every citizen under the Constitution of the United States.

I hope that Senate action on this measure will be accomplished at this session without undue delay.

But his big hope was to work out a compromise on section three which the Southerners could accept and which still would satisfy a Republican-Northern Democratic coalition supporting the legislation.

The idea was to head off an attempt by the Southerners, who have been joined by some moderates, to eliminate completely the section from the bill. Aiken walked out of the GOP huddle because he was not permitted to explain such a proposal.

Knowland said that it was decided to let the Senate vote on the disputed section three as it now stands when the issue comes before the chamber next week. He added that if the section is knocked out, however, he may offer a watered-down substitute later.

The GOP leader explained that it had been impossible to get general agreement among backers of the bill on a compromise strong enough to satisfy him.

Compromise Try On 'Rights' Fails

Post-Herald P. 1
Sat. 7-20-57
Unable To Reach Agreement On Measure's Injunction Feature

WASHINGTON, July 19 (UP)—Backers of President Eisenhower's Civil Rights Bill today abandoned efforts to work out a compromise to scale down the attorney general's authority to take court action against violators.

Senate Republican Leader William F. Knowland (Cal.), who has been spearheading the fight for the bill, said the bill's all-out supporters will fight for so ever. He said the supporters called section three of the bill as it now stands.

The provision would give the attorney general power to seek federal court injunctions to block actual or threatened civil rights violations. Violators could be held in contempt and punished by a federal judge without jury trial.

Knowland's announcement followed day-long maneuvering. At one point, Sen. George D. Aiken (R., Vt.) stalked out of a meeting of GOP senators, charging that his party colleagues were playing politics with the measure in an effort to win votes in 1958 and 1960.

Knowland earlier had introduced three minor amendments in an effort to placate Southern foes of the measure which now has been before the Senate for two full weeks.

Knowland said he will not back a compromise amendment offered earlier today by Sen. Arthur V. Watkins (R., Utah) who had played an important part in the behind-the-scenes negotiations.

Under Watkins plan, the attorney general could take action to enforce integration only when requested by state or local authorities—except in cases involving the right to vote.

Knowland was asked whether he thought the Senate would vote to retain section three.

"It will be very close," he replied.

Angered Aiken accused the GOP leadership of having an uncompromising approach to the civil rights measure.

He said the only objective of such an attitude would be the creation of a campaign issue in the 1958 and 1960 elections.

After the meeting, Knowland introduced his three amendments, two of which were proposed originally by Sen. Richard B. Russell (D., Ga.), the leader of the Southern foes of the bill.

One amendment would make the appointment of the staff director of the proposed civil rights commission subject to Senate confirmation. Another would bar the commission from using unpaid, volunteer staff workers.

The third Knowland amendment would require the commission to report to Congress, as well as to the President.

Civil rights advocates of both parties feared that if further concessions are not made on part three, Southern foes will be able to muster enough strength to delete the section completely.

'Ike' Takes Another Look At Civil Rights Measure Following Russell Speech

Respected Georgian Explains Far-Reaching Implications Of Bill And Accuses Some Newspapers Of Concealing Critical Facts

By MORRIS CUNNINGHAM

WASHINGTON, July 6.—Senator Richard B. Russell's speech in the Senate this week may turn out to be the most effective blow that has been struck against President Eisenhower's civil rights bill.

The highly respected Georgia Democrat outlined in the most concise and eloquent terms the far-reaching powers of the bill.

He pointed out in forceful language that it would authorize the use of the Army court and masterful speech.

decrees ordering racial integration in the public schools as well as in all other walks of life.

He said the bill "goes to the peace and tranquility of our land" and warned that its passage would "cause unspeakable confusion, bitterness and bloodshed."

Senator Russell charged that a "campaign of deception" by the nation's news media has misled the American people outside the South into believing that the bill applies merely to the voting rights of Southern Negroes.

He said if the American people understood the bill they would be against it. He offered to abide by the outcome of a national referendum.

Finally, he said that President Eisenhower's repeated news conference descriptions of the bill as "moderate" indicate that the President himself does not understand its full scope or far-reaching implications.

No Interruptions

During Senator Russell's address he was not interrupted. Even those who disagreed with



Senator Russell was peculiarly fitted to state the South's case against the bill. Respected on both sides of the aisle, he is the Senate's second-ranking member and one of its most influential.

More important, he is widely recognized as the leader and chief strategist of Southern senators on civil rights questions.

Because of this latter role, what he had to say on the civil rights bill in a prepared major address could scarcely be ignored.

Consequently, the speech had one immediate effect. It projected into the nation's news columns and radio and TV reports a view of the bill that previously had been muffled.

It simultaneously laid down a strong challenge to the press outside the South to start giving both sides of the arguments and to quit treating the bill as merely a "moderate" measure restricted to voting rights.

Newspapers Served Notice

At the outset of his speech Senator Russell arraigned the New York Times, the New York Herald Tribune, the Christian Science Monitor, and Newsweek magazine on this count.

He thus put these as well as other publications on notice. He said, in effect, that if they do not present both sides of the issue they will face the prospect of their policies being aired even more extensively.

The impact of Senator Rus-

sell's speech was immediately evident next morning at President Eisenhower's news conference. The first and the last questions put to the President dealt with it.

The President first was asked about Senator Russell's proposal for a national referendum on the bill. He replied that the Constitution provides no machinery for one.

Next the President was asked to comment upon Senator Russell's description of the bill's powers as contrasted with his own previous insistence that it is a "moderate" measure.

"Well," said the President, "I would say this: Naturally, I am not a lawyer and I don't participate in drawing up the exact language of proposals."

"I know what the objective was that I was seeking, which was to prevent anybody illegally from interfering with any individual's right to vote, if that individual were qualified under the proper laws of his state, and so on."

President Is Puzzled

"I wanted also to set up this special secretary in the Department of Justice to give special attention to these matters, and I wanted to set up a commission, as you will recall."

"Now, to my mind, these were simple matters that were more or less brought about by the Supreme Court decision, and were a very moderate move."

"I find that men, highly respected in their states and the Senate, have suddenly made statements, 'This is a very extreme law, leading to disorder, and all that sort of thing.'"

"This, to me, is rather incomprehensible, but I am always ready to listen to anyone's presentation to me of his views on such a thing."

The President then was asked if he would be willing to have the bill revised so that it would deal with the right to vote rather than implementing the Supreme Court's school integration decision.

"Well," said the President, "I would not want to answer this in detail, because I was reading part of that bill this morning, and there were certain phrases I didn't completely understand."

"So, before I made any more remarks on that, I would want to talk to the attorney general

Reactions Are Significant

"For example, take it at home. I was just asked a question about civil rights. From one side of this picture there is no question. But from the side of people who have lived with a very definite social problem for a number of years, there are all other side."

The last question dealt with Senator Russell's charge that the President doesn't fully understand the bill. He was asked if he had talked with its opponents.

"Oh, yes," the President said. "As a matter of fact, I did down in Virginia the other day (where he addressed the National Governors' Conference). I have talked to a very great many critics, but Senator Russell has never given me any oral or written message on it himself."

The President's remarks were significant on several counts. First, he disclosed that on the morning after Senator Russell's speech he "was reading part of that bill."

Second, he revealed that "there were certain phrases I didn't completely understand."

Filibuster Starts Tomorrow

Third, he again cited his own objectives — assurance of the right to vote, an investigative civil rights commission, and a "special secretary in the Department of Justice."

Fourth, he seemed surprised to "find that men . . . have suddenly made statements, 'This is a very extreme law.' Apparently puzzled, he called this "rather incomprehensible."

Whether all of this means that Senator Russell's speech has persuaded the President to eliminate some of the more drastic features of the bill remains to be seen. If so, it would be a notable accomplishment.

As of now the bill is slated to be called up in the Senate Monday in its present form. The filibuster will start at that time.

President Eisenhower And Senator Russell Express Views On Civil Rights

Last Tuesday two powerful figures in the nation's capital had comment to make on the pending Civil Rights bill, recently passed by the House and now pending on the Senate's calendar. These men were President Eisenhower and Senator Richard Russell of Georgia. Earlier that day, the senior senator of Georgia, who has led previous filibusters against Rights' legislation and at present the recognized leader to try to block the pending bill, was quoted in the press as having predicted dire consequences if the bill passes. He said the bill was "cunningly designed to invest in the Attorney General the power of the federal government, including the armed forces, if necessary, to force integration in the schools."

Later that day the President was asked at his press conference about the bill and he expressed the view that the legislation was necessary and that it was mild. He added it was incomprehensible to him for anyone to oppose it in the light of the fact that the main purpose was to strengthen the right of southern Negroes to vote. The bill mainly does that and, of course, it will strengthen the government's position to handle other types of Civil Rights violations. As to enforcement of the school decision, we think there are already on the statute books sufficient laws to accomplish that end.

There is no question that there is need for this legislation to protect the Negro citizens' right to vote. In recent years there has been wholesale wiping off of the names of Negroes from the voters list. It has occurred in Georgia and other states in this section.

Senator Russell had also said he thought a national referendum should be held on the bill, but President Eisenhower said he did not think it was a fit subject for the people to vote on. We agree because it would only invite possible chaos to submit to a vote of the people a constitutional question already ruled on by the Supreme Court. This bill mainly supplements the 15th Amendment to the Federal Constitution.

We regret to see a senator of the United States take such a vehement position on this issue of the right to vote or the school decision. If the emotional and narrow political appeals are left out, we believe the two races can amicably readjust to these changes without serious incident. The two races know each other and the masses will show the good sense to make reasonable changes and at the same time respect the feelings and views of the other. At least, we believe this will be the case unless some politicians will otherwise.

MR. RUSSELL'S REFERENDUM

(From The New York Times)

President Eisenhower didn't take long to dispose of the suggestion made by Senator Richard B. Russell of Georgia that the pending civil rights program be "submitted to the people of the North and West in a clear-cut and fairly presented plebiscite." As he explained in reply to a question at his press conference, the President was unable to find any provision in the Constitution that would provide for such a referendum.

The truth is, of course, that the Russell referendum proposal was dead as soon as it was born. The Georgia Senator seems to regard the pending legislation as a preliminary to another

march of an invading army from Atlanta to the sea. The point that might be made does not touch on civil rights so much as on Senator Russell's charge that at least a portion of the American press and at least a portion of the other agencies of public communication have been guilty of a "campaign of deception as to what this (civil rights) bill proposes to accomplish."

It is ridiculous to assume that a national referendum would produce a freer and fairer discussion than will be produced by an attempt to put civil rights legislation through Congress in the usual way. If the northern and western sections of the American press are capable of choking off discussion on a subject that is before Congress they could be just as effective if the subject were tossed out to be decided by an appeal to the mass of the voters.

The referendum proposal does not make sense. Nearly sixty years of experience with the referendum in the states have left a difference of opinion as to how democratic it—and its twins, the initiative and the recall—really are. A national referendum on civil rights, even if it were constitutional and otherwise possible, would be just a nation-wide filibuster. If we are to have a filibuster, let's have it in Washington on Capitol Hill, where we can see what is going on.

The Bayonet Clause Advertiser P. 1-6 Found By Senator Russell

THE MOST discussed feature of the civil rights bill has been the section relating to voting. 9-57

This section would give the attorney general authority to seek injunctions against those who have "engaged in or are about to engage in" activity to prevent Negroes from voting. A federal judge can jail them for contempt, without a jury, and keep them in jail until he decides they have purged themselves of contempt.

Thus persons hailed into court on mere rumor or suspicion of intent to do something (those about to engage in certain activities) can be deprived of their civil rights indefinitely on the flimsiest of charges.

And although the action would be brought under the "civil" rather than the "criminal" code, a prison, as Arthur Krock bluntly puts it in *The New York Times*, is still a prison.

But there is another important section of the bill which has not received the attention it deserves. Senator Russell's perceptive analysis of points which had been ignored in earlier debates moved even the President to confess to second thoughts about his bill. Senator Russell called attention to a dangerous possibility inherent in Section 3 of the bill, the section which can be used to enforce

Supreme Court decisions ordering racial integration in schools, recreation centers, etc.

Section 3, unlike Section 4 (voting), is directly tied to Title 42 Item 1993 of the U. S. Code, Russell revealed, under which the President is authorized to use the armed forces and the militia "to aid in the execution of judicial process" (contempt growing out of injunctions, etc.).

This tie-in, Russell said, is "a measure of the true importance of the voting right clause, as compared to the power sought to integrate the schools and destroy the separate system of races on which the social order of the Southern states is built."

★
THIS WOULD in fact be bayonet enforcement of a drastic social revolution. It is all but inconceivable that Eisenhower would ever use such powers, but there will be future administrations less able to resist the extremist demands of NAACP. Senator Russell said:

"Who can doubt... that some attorney general, yielding to the demands of such organizations as the NAACP [and others]... would move into the South to compel the communities to integrate. [And] this attorney general could invoke the use of the military and naval forces of the United States to subdue, suppress, arrest and jail every person who... protested and resisted the commingling of races—on the ground that [such persons] were guilty of conspiracy.

IN THIS connection, a policy statement of the NAACP, appearing almost the same day as Russell's analysis, said because of the "stubborn resistance" of eight Southern states to integration: "There is no longer any reason to wait and vainly hope for voluntary compliance by these eight states. We must, therefore, plan ahead [to] defend our constitutional system against open rebellion by states which defy the law of the land."

From this it seems clear the politically powerful NAACP may be warming up to demand bayonet enforcement. Eisenhower, we are confident, would never accede to such demands. But, as Krock writes in *The Times*:

... If the Administration reply to Russell is that, while the measure could be enforced by the military, this regime will never do it, that will pose an issue which merits the serious attention of a people who today [Krock's column appeared July 4] are observing the anniversary of the great proclamation of even-handed civil liberty for them all. For that reply could assert the philosophy of government by men and not by laws, and, said Jefferson: "In questions of power, let no more be said of confidence in men."

The power-giving aspects of the civil rights bill could, indeed, usher in Reconstruction II.

Plan For Vote Advertiser P. 1 On Rights Bill

Thurs. 7-4-57
Chilled By Ike

WASHINGTON, July 3 (AP) — President Eisenhower today rejected the idea that he submit his civil rights bill to nationwide referendum. He said he didn't know of any provisions in the Constitution for putting the question up to the people in such a way.

He told his news conference he thought that "the Constitution contemplates that there are responsible officials within the federal government that have to act in such cases."

The President expressed his views when asked about the proposal of Sen. Russell (D-Ga) to submit the civil rights issue to a national vote. The Georgian said

yesterday that if the people became acquainted with the bill now before the Senate they would defeat it "overwhelmingly."

NO PROVISION

First of all, Eisenhower said he didn't know of any constitutional provision for such a referendum. He also said he didn't know how the question could be put, unless the voters were controlled with the specific language of the bills — "and I doubt that that would make a very good subject for a referendum, even if you could have one."

The President confessed that he himself didn't understand completely "certain phrases" in the legislation.

This was in reply to a question as to whether he would be willing to see the bill rewritten to make clear it aims at protecting the right to vote and not, as some Southern critics have said, at enforcing integration of the races. Eisenhower said he would want to talk to the attorney general and find out exactly what certain phrases in the bill mean before making any more remarks on the scope of the bill.

The House passed the administration's civil rights program 286-126 June 18 and an effort is expected to be made to bring the bill before the Senate next Monday.

Southern Democrats are expected to filibuster for weeks in an attempt to talk the bill to death in the Senate.

In preliminary debate yesterday, Russell, the captain of the Southern opposition, told the Senate he will seek to attach an amendment to the bill providing that the legislation would not become effective until it had been approved by a majority of American voters. Russell suggested holding a referendum in conjunction with the congressional elections next year.

HIT BY RUSSELL

He asserted the bill was aimed at "bayonet" enforcement of the Supreme Court's school integration decision and, if passed by Congress, "will cause unspeakable confusion, bitterness and bloodshed" in the South.

Eisenhower told his news conference he couldn't understand why some men felt this way about the program, which he has defended repeatedly as one of moderation. Obviously referring to Russell and other Southern opponents of the legislation, he said:

"I find that men, men that are highly respected in their states

and in the Senate, have suddenly made statements: 'This is a very extreme law, leading to disorder,' and all that sort of thing."

"This to me is rather incomprehensible, but I am always ready to listen to anyone's presentation to me of his views on such a thing."

He added that Russell has never given him any oral or written message on the bill.

In his discussion today, the President described the provisions of the bill as "simple matters that were more or less brought about by the Supreme Court decision, and were a very moderate move."

"I know what the objective was that I was seeking, which was to prevent anybody from illegally interfering with any individual's right to vote..." he said.

Earlier Sens. Knowland of California, the GOP leader in the Senate, and Javits (R-NY) had criticized Russell's referendum proposal as unworkable.

The civil rights bill would set up a bipartisan commission to make a two-year study of civil rights problems and would establish a special division in the Department of Justice, under an assistant attorney general, to handle civil rights cases.

It would also empower the attorney general to take into federal courts the cases of persons whose civil rights were violated or threatened, and to protect their interests by seeking federal court injunctions. Persons who violated these injunctions could be tried by the judge for contempt of court.

Passage chance greatly improved

Agfr. American Sat. 6-29-57
Baltimore Md.
 By LOUIS LAUTIER

WASHINGTON, (NNPA) — By majority vote, the Senate Thursday night placed the House - approved Eisenhower civil rights bill on the Senate calendar.

The vote to bypass the Senate Judiciary Committee, the graveyard of civil rights legislation, was 45 to 39. Eleven Democrats joined 34 Republicans in voting to send the bill directly to the calendar.

Voting against this strategy were 34 Democrats and five Republicans.

The action of the Senate greatly enhances the probability of passage of civil rights legislation before the Congress adjourns sine die.

IT MEANS that the civil rights bill has one less hurdle to overcome in reaching the Senate floor for debate and vote.

The Senate Judiciary Committee, of which Sen. James O. Eastland, (D., Miss.) is chairman, has kept civil rights legislation bottled up for more than five and a half months. It was the burying - ground for civil rights legislation in the last session of Congress.

The difference was that in the last session Eastland and other Southern Democratic members on the committee used the pretext of prolonged hearings to block civil rights legislation.

Attorneys general and other officials of Southern states were testifying at the rate of one every week or ten days on the bill until the Congress quit.

This year the pretext used was that the committee was considering the bill.

THE COMMITTEE met at 10:30 a.m. on Mondays. At these meetings Eastland would recognize one of his Southern

colleagues — Senator Olin D. Johnston of South Carolina, John L. McClellan of Arkansas, or Sam J. Ervin of North Carolina.

One of these Senators would offer an amendment to the bill and then proceed to talk on his proposal until the bells rang for the Senate to convene.

Immediately another one of the Southern Senators would make the point of order that the Senate was in session and no further business could be transacted without permission of that body.

This farce was kept up until the House passed the Eisenhower bill and sent it to the Senate, which gave Sen. William F. Knowland, of California, the Republican leader, the opportunity to use a seldom used rule to get the measure on the Senate calendar.

THE FIGHT that ensued resulted in strange alignments. Sen. Wayne Morse, a liberal Democrat, a vice president of the NAACP, broke with other liberal Democratic Senators to join with Senator Richard B. Russell, (D., Ga.) who led the fight to send the bill to the Judiciary Committee.

Sens. Paul Douglas of Illinois and Hubert Humphrey of Minnesota, led a small band of ten other liberal Democrats in supporting Senator Knowland's move.

Liberal Democratic ranks lost Senators Warren Magnuson of Washington, Mike Mansfield of Montana, James E. Murray of Montana, and Joseph C. O'Mahoney of Wyoming, all of whom supported Russell.

SEN. LYNDON B. JOHNSON of Texas, the Democratic leader, did not participate in the debate, but he voted to send

the bill to the Judiciary Committee. Sen. John F. Kennedy, (D., Mass.) not only voted to send the bill to the committee but also supported the argument to committee procedure.

After the Senate voted 45 to 39, to send the bill to committee, it voted, 49 to 36 to table the point of order raised early in the debate by Russell against bypassing the Judiciary Committee.

On a parliamentary maneuver to nail down the Senate's action, Sen. Everett M. Dirksen, (R., Ill.), moved to reconsider the vote by which Russell's point of order was overruled.

Sen. Knowland moved to lay the Dirksen motion on the table. This motion was adopted, 49 to 36.

SENATOR KNOWLAND has said he thinks a motion to take up the civil rights bill should be made about July 1. Such a motion can be filibustered, but the two roll - call votes Thursday night indicated a strong possibility that a Southern filibuster may be broken.

A ruling by Vice President Nixon paved the way for a Senate vote on the question of whether the civil rights bill should go to committee.

After the Vice President had ruled, it looked as if a filibuster might develop. But if there were any thoughts of a filibuster, they were nipped in the bud by the ruling of Vice President Nixon that a motion could be made to table Russell's point of order.

A motion to table would have cut off debate and, if carried, left it up to Mr. Nixon to place the bill on the calendar.

The parliamentary inquiry which got the ruling from the Vice President was made by Senator Douglas, but the Illinoisan did not pursue the matter further.

AFTER SENATOR MORSE had made his second lengthy speech of the day in opposition to placing the bill on the calendar, the Senate voted on the question of whether Russell's point of order was well taken.

During Morse's second

speech, Douglas told him he (Morse) was not "making a very eloquent defense of the committee system and the committee procedure."

He asked Morse if he thought the committee system has worked when the Judiciary Committee has bottled up civil rights legislation "for nearly two years" and, as Senator Thomas C. Hennings said, "gives every evidence of continuing to bottle it up."

Douglas added that he thought what Morse "is doing tonight is trying to kill civil rights."

MORSE DID not reply to Douglas but said he would put his civil - rights record alongside that of Douglas' "before any public jury and let them be the judge."

In his earlier speech, Morse had said to the NAACP and Americans for Democratic Action, of which he also is a vice chairman, that they were "making a terrific mistake, because I do not know of any group that has more at stake in regard to fair procedure than have the colored people of America."

Replying to the Morse speech, Senator Humphrey said if the patience of the NAACP has run out, "I can well understand why." He added:

"Many of their fine members have suffered indignities which no American citizen should have to suffer."

HUMPHREY SAID the NAACP "has been under severe attack, and that organization says the time is at hand for action; and this is a means to obtain action, not illegally, not by an irresponsible means, but by a legal, responsible means provided in Rule 14 of the Rules of the United States Senate."

Vice President Nixon decided to submit the question of whether the House - approved civil rights bill should be placed on the Senate calendar or sent to the Senate Judiciary Committee.

Senate rules authorize him to submit any question to the decision of the Senate.

Nixon's decision was made

on the point of order raised by Russell that the Reorganization Act of 1946 superseded and annulled Senate Rule 14.

In ruling, Nixon said his opinion was that the point of order was not well taken, but he believed that the proper procedure was for him to submit the question to the Senate.

THE SENATE heatedly debated for about 10 hours the Senate rules under which the coalition of Republicans and Northern Democrats bypassed the Judiciary Committee with the Eisenhower civil rights program.

The argument over disposition of the House - approved bill began when Vice President Nixon sought a second reading of the bill.

Senator Knowland served notice that as soon as the bill was read for the second time, he would object to further proceedings on it.

Senator Johnston — one of four Southerners, who have kept civil rights bottled up in the Judiciary Committee, asked that the bill be read "word by word, line by line."

Usually, the reading of the title of a bill is all that is required.

KNOWLAND MOVED that the bill be read by title and that its full text be printed in the Congressional Record, but he later said he had no objection to the bill being read in full.

After the bill was read, Knowland, recognized by Nixon, objected to any further proceedings on the bill. He said his objection was made under Rule 14.

Senate Rule 14 provides that after a House - approved bill has received a second reading without being sent to a committee, if objection is made to further proceedings on it, it shall be placed on the calendar.

Senator Russell made the point of order that Rule 14 was superseded and annulled by a section of the Reorganization Act, making the sending of a bill to committee mandatory.

RUSSELL SPOKE at length

in support of his point of order. He contended that if the civil rights bill is placed on the Senate calendar, "undoubted chaos" would result from bypassing Senate committees with House - approved bills and that the Senate leadership, whether Democratic or Republican, would be "hamstrung and hog-tied."

Knowland maintained that if the Senate had intended to amend Rule 14 by the Reorganization Act, it would have so stated in that act or in its legislative history.

Senator Hennings supported the move to place the House bill on the Senate calendar. He told of his efforts to get the bill he and Senator Dirksen are sponsoring out of the Judiciary Committee, of which he and Dirksen are members, and said there is no assurance that the Senate Judiciary Committee will report out a bill at this session.

The Hennings - Dirksen bill is a companion measure of the House - approved bill.

Senate Votes
Adviser 7-1
To Take Up
Wed. 7-17-57
Rights Bill
Montgomery, Ala.
Southerners Gird
For Bitter Battle
To Prevent Passage

WASHINGTON, July 16 (AP) — The Senate voted 71-13 today to take up President Eisenhower's civil rights bill.

It was the signal for a bitter North-South fight that may last all summer.

Soon after the Senate decision, Eisenhower issued a statement expressing the hope that, in considering amendments, the Senate, "will keep the measure an effective piece of legislation."

Specifically, Eisenhower opposed the idea of guaranteeing jury trial

als in contempt of court cases the President, which might grow out of the legislation.

But Sen. Russell (D-Ga), leader of southern foes of the bill, said: "We are prepared to expend the greatest effort ever made in history to prevent passage of this bill in its present form."

MOTION DEFEATED

As soon as the House-approved measure reached the floor, Sen. Morse (D-Ore) moved that it be sent to the Judiciary Committee for a week's study. This motion was defeated 54-35.

Then Sen. Anderson (D-NM) promptly called up his amendment to strike out the controversial section 3 of the bill, which would give the attorney general new powers to seek federal court injunctions for the enforcement of all the civil rights bill, Byrd continued in manner of civil rights. Violators of these injunctions could be jailed or fined by federal judges for contempt without a jury trial.

Not since 1946 have supporters of civil rights legislation been able to get a bill before the Senate.

'66 SPEECHES

Their victory today came after eight days of debate in which the measure was hailed as moderate and progressive legislation and denounced as a plot to push the South back to conditions prevailing in the reconstruction era which followed the Civil War.

Almost all other legislative business in the Senate will be suspended until the civil rights issue is settled. Sen. Knowland of California, the Republican leader, said this may take two months.

A coalition of 42 Republicans and 29 Democrats joined forces to bring the bill to the floor.

The 18 "no" votes came from 9 of the 11 southern states. The senators from Tennessee and Texas, including Majority Leader Johnson of Texas, voted for consideration of the bill.

18 SPEAKERS

This indicated that in any attempt to talk the bill to death the opposition could depend on only 18 speakers—the senators from Virginia, Mississippi, Louisiana, North and South Carolina, Alabama, Georgia, Florida and Arkansas. Sen. Kefauver (D-Tenn) has served notice he will not support a filibuster, although he wants the bill modified.

Eisenhower's statement was put out while he was playing golf in nearby Maryland. James C. Hagerty, the White House press secretary, said it had been prepared in advance and fully discussed with

As the Senate approached the end of eight days of debate on the motion to take up the legislation, Sen. Knowland of California, the Republican leader, clashed with Sen. Byrd (D-Va) over Byrd's description of Chief Justice Warren as "the modern Thaddeus Stevens."

INIQUITOUS BILL

Byrd had denounced the legislation as "an iniquitous bill. . . a refutation of our entire American jurisprudence."

The Virginian then compared Warren with Stevens, a Republican House leader of Civil War and reconstruction days who was a vehement advocate of a get-tough policy toward the South.

Suggesting that President Eisenhower does not know what is in all the civil rights bill, Byrd continued:

"I strongly suspect that the modern Thaddeus Stevens, now cloaked in the robes of the chief justice of the United States Supreme Court, has a complete and thorough knowledge of what could and would be done under the bill."

Knowland protested there was "a clear implication" in Byrd's speech that Warren "had in effect entered into a conspiracy" with the National Assn. for the Advancement of Colored People and Americans for Democratic Action.

The GOP leader said he hoped Byrd did not mean to imply that the chief justice had conspired with any group relative to the civil rights bill.

How Senate Voted On Knowland Motion

WASHINGTON, July 16 (AP) — Here is the 71-18 vote by which the Senate adopted today a motion by Sen. Knowland (R-Calif) to take up the civil rights bill: **FOR THE MOTION—(71)**

DEMOCRATS FOR: Anderson of N.M.; Bible of Nev.; Carroll of Colo.; Chavez of N.M.; Church of Idaho.

Douglas of Ill.; Frear of Del.; Gore of Tenn.; Green of R.I.; Hayden of Ariz.; Humphrey of Minn.; Jackson of Wash.; Johnson of Texas; Kefauver of Tenn.; Kennedy of Mass.

Kerr of Okla.; Lausche of Ohio; Magnuson of Wash.; Mansfield of Mont.; McNamara of Mich. Monroney of Okla.; Morse of Ore.; Murray of Mont.; Neely of W.Va.; Neuberger of Ore.

O'Mahoney of Wyo.; Pastore of R.I.; Symington of Mo.; Yarborough of Texas. **REPUBLICANS FOR:**

Alken of Vt.; Allott of Colo.; Barrett of Wyo.; Beall of Md.; Bennett of Utah; Bricker of Ohio; Bush of Conn.; Butler of Md.; Capehart of Ind.; Carlson of Kan.

Case of N.J.; Case of S.D.; Cooper of Ky.; Cotton of N.H.; Curtis of Neb.; Dirksen of Ill.; Dvorshak of Idaho; Flanders of Vt.; Goldwater of Ariz.; Hickman of Iowa.

Hruska of Neb.; Ives of N.Y.; Javits of N.Y.; Jenner of Ind.; Knowland of Calif.; Kuchel of Calif.; Langer of N.D.; Malone of Nev.; Martin of Iowa, Martin of Pa.

Morton of Ky.; Mundt of S.D.; Potter of Mich.; Purtell of Conn.; Revercomb of W.Va.

Saltonstall of Mass.; Smith of Me.; Smith of N.J.; Thye of Minn.; Watkins of Utah.

Wiley of Wis.; Williams of Del.—42. **AGAINST THE MOTION—(18)** . . . **DEMOCRATS AGAINST:**

Byrd of Va.; Eastland of Miss.; Ellender of La.; Ervin of N.C.; Fulbright of Ark.

Hill of Ala.; Holland of Fla.; Johnston of S.C.; Long of La.; McClellan of Ark.

Robertson of Va.; Russell of Ga.; Scott of N.C.; Smathers of Fla.; Sparkman of Ala.

Stennis of Miss.; Talmadge of Ga.; Thurmond of S.C.—18. **REPUBLICANS AGAINST—NONE.**

Not voting nor paired but announced as in favor of the motion: Clark (D-Pa), Hennings (D-Mo), Payne (R-Me) and Schoeppel (R-Kan).

The two senators with no announced position were: Bridges (R-NH) and Young (R-ND).

Political Notebook
Constitution P. 3

The Talmadge Dignity
Wed. 7-17-57
Atlanta Ga.
By WILLIAM M. BATES
Constitution Political Editor

Sen. Herman Talmadge once again has shown his liberal critics that he is not the race-baiting demagogue that some of them expected him to be in the Senate of the United States.

His major speech against President Eisenhower's civil rights bill in the Senate last Friday was a model of dignified, high-level discussion of one of the foremost emotional issues of our time.

When Talmadge was elected to the Senate last year many were the Northern liberals who fully expected him to become a spokesman of the extreme and irresponsible elements of the South.

There were Georgians, too—many who had cast a ballot for a Talmadge for the first time—who were far from certain about the path the new senator would follow.

Up until the civil rights bill reached the Senate floor, Talmadge's actions and utterances in Washington must have perplexed the critics who had expected him to become another Bilbo or an Eastland. Cautiously, important Washington reporters, as cynical a lot as you can hope to see, began to indicate



William M. Bates

that the advance hostility toward Talmadge might have been unjustified.

But still ahead was the civil rights fight. This is the issue, touching as it does directly on race relations in the South, for which Talmadge is best known to the nation. Some of his statements, particularly in the early stages of his political career, unquestionably had been on the extreme side.

What would be the tenor of his opposition to civil rights legislation in that foremost forum of the nation, the United States Senate?

SENATOR'S DECORUM

The answer came Friday. While Talmadge's critics dis-

agreed with the substance of his arguments, they could hardly take exception to the manner and the decorum with which he presented them.

Not once did he mention the word Negro. Not once did he lay the pressure groups that long have urged extreme civil rights measures. Not once did he refer to segregation or integration or to the "Southern way of life."

Instead, Talmadge made a well-documented, constitutional argument that the administration's bill was a threat to the basic rights of all Americans—not just to those Americans who happen to reside in the South. The bill, he maintained, would give additional rights to only one person: the attorney general of the United States.

A CALM SPEECH

From start to finish, Talmadge's speech was a calm, reasoned approach to an extremely explosive situation. His opening words set the tone of the speech:

"Mr. President, as I arise to address myself to this bill I am pleased that I can say with full sincerity and in good conscience that I can speak for the rank and file of Georgians of every color, race, faith and national origin."

He ended on this note:

"I, for one, Mr. President, will not be a party to ushering in another age of hate to blight an otherwise peaceful nation and destroy the unity which exists among our citizens. . . . Rather, Mr. President, I, for one, wish history to record that I stood in defense of the rights and liberties of the American people and the sacred Constitution of the American Republic."

RESPONSIBLE, INTELLIGENT

The tone of Talmadge's speech may not please some of his Georgia supporters who would have preferred him to denounce the civil rights bill in terms of a campaign speech in Georgia.

But it should go a long way toward establishing Talmadge in the eyes of the nation—and in the eyes of his fellow senators—as a responsible, intelligent exponent of the legitimate interests of the South.

And this, in the long run, will be far more important in obtaining a sympathetic understanding of the South and its problems than all the table-pounding and breast-beating of the demagogues.

What it concerns is a bill, passed by the House and backed by the Eisenhower Administration, to enable the Government to move in the federal courts against persons seeking to keep qualified Negroes from voting. It's common knowledge that this is an old Southern custom.

Core of the bill is a provision permitting the Government to ask injunctions from federal judges in such cases, with juries ruled out. The idea is that Southern white juries almost never will find against whites accused of keeping Negroes from the polls. This proposal enrages many Southerners. Sen. Joseph C. O. Mohoney (D-Wyo.) offers an amendment to the bill, allowing juries to be called in where the facts in the case are disputed.

It's a safe bet that this Senate fight, whichever way it turns out, won't settle all or nearly all of our racial problems. But by following the civil rights debate, a lot of us can learn a good deal about how numerous and how complex those problems are.

The Civil Rights Fight

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Senator Stennis Defends Filibusters As 'Last Protection' of States' Rights

By Richard L. Lyons
Staff Reporter

Senator John C. Stennis (D-Miss.) defended Senate filibusters yesterday as the last real protection of states against an expanding Federal Government and bad legislation.

The Senate is the only place in Washington where the states are represented as states. Stennis told a Senate Rules Subcommittee considering proposed rules changes to make it easier to stop filibusters.

The present rule requiring 64 votes to cut off debate "gives Senators in a minority position on a given matter the opportunity to present their views to numerically superior forces," said Stennis. It gives time "to sound the alarm against ill-considered legislation" and for public reaction to make itself felt.

If debate could be stopped by majority vote, said Stennis, the Senate would become a "mere annex to the House of Representatives" which usually acts much more speedily under its limited-debate rules.

Liberals pushing for a rules change to help pass a civil rights bill have used the filibuster in the past and would find that any change would be a boomerang on them in future legislation they oppose, Stennis predicted.

There seemed little chance that the Senate would change its rules this session, particularly with a civil rights fight coming up next month. A motion to change the rules can be filibustered forever. Not even 64 senators can cut that off.

Recent attempts to change rules have been made at the start of a new Congress with the argument that the Senate at that moment is a new body and could cut off debate and adopt new rules. Twice in the last four years that approach has failed.

There seems even less chance that the two-man subcommittee considering the question will agree on anything. It consists of Sen. Herman E. Tamm (D-Ga.) who is opposed to limiting debate and Sen. Jacob K. Javits (R-N.Y., staunch civil rights backer who wants

to make it easier for the Senate to stop talking and vote.

Whenever one of them asked a leading question at yesterday's hearing, the other came right back with another to rebut it. Each invited witnesses to testify to bolster his case.

Javits brought in James M. Burns, professor of political science at Williams College,

who endorsed Sen. Paul H. Douglas' (D-Ill.) plan to let 49 senators cut off debate after 15 days notice, or two-thirds of those present after two days notice.

Said Burns: "Americans like to think of the Senate as the greatest deliberative body in the world. But deliberation is not an end in itself. When deliberation blocks action, it becomes a mockery."

Talmadge invited Albert B. Saye, professor of political science from the University of Georgia, who like Stennis felt extensive debate was the best guardian of states rights and the best check on the executive branch of government.

Franklin L. Burdette, director of the University of Maryland's bureau of government research, said majority cloture (stopping the talk) after full debate was a "modest change" and would increase the Senate's influence by giving it time to devote to more matters.

The American Civil Liberties Union urged passage of the Douglas proposal. Representatives of the Daughters of the American Revolution and Veterans of Foreign Wars recommended that the rule be left as it is.

Omar B. Ketcham, VFW's legislative director, said he doubted the immediate need for any legislation and couldn't get the backing of 64 Senators. With modern communications, said Ketcham, a spellbinding President with "dictatorial leanings" might arouse great numbers of people to support legislation that actually threatened their welfare and fundamental rights. Senate debate is the best check against this, he said.

Russell Says Ike Has 'Open Mind'

Wed. 7-10-57 Jackson Miss.

WASHINGTON (AP) — Sen. Russell (D-Ga.) said

after a conference with President Eisenhower today that the chief executive's "mind is not closed to amendments which would clarify" the administration's civil rights bill.

Russell, quarantined South-ern forces opposed to the legislation in the Senate, told newsmen Eisenhower is against enactment of any punitive measure.

Eisenhower and Russell talked over the bill for about 50 minutes at the White House.

Although Russell said Eisenhower has an open mind with respect to the possibility of clarifying amendments, the senator refused to express an opinion as to whether the administration will back such amendments.

HINT COMPROMISE

"The President's mind is open," Russell said. "It is not closed to amendments which would clarify the bill."

In advance of Russell's conference with Eisenhower there were hints at the Senate that sponsors of the administration measure probably will consider compromises.

The White House conference was set up with only a few minutes advance public notice.

Eisenhower told his news conference last week he would be glad to talk over the case with Russell, who contends the legislation is "vicious."

Eisenhower himself has described the civil rights measure as "moderate," but said last week there were certain phases he found hard to understand.

Eisenhower was reported yesterday to have talked over with Atty. Gen. Brownell the language the President had stated obscure. After that session administration backers said Eisenhower held to his original view that the proposal is "moderate" and desirable.

Nevertheless sponsors of the legislation were hinting today at possible future compromises, school integration and desegrega-

tion in public places in the South, challenged a ruling by Nixon yesterday that the Senate is discussing the correct version of the House-passed measure.

Knowland, evidently primed for a showdown vote, brought up the issue. He cited Russell's complaint Monday that the bill officially read twice in the Senate contained a misplaced amendment.

Nixon held this clerical error had been corrected by the House enrolling clerk and a correct measure substituted for it. Several senators said such errors were not infrequent and usually corrected as a matter of routine.

Russell first made a point of order and announced he would seek a roll call vote against Nixon's ruling. But on second thought, he said he would not press the matter. He said he knew the "Knowland-Douglas axis" had the votes to "rewrite" the Senate rules he said were being circumvented by the ruling.

With Southern Democrats ready to resume their assault on the measure in lengthy speeches, there were clear indications Eisenhower administration officials will be willing to talk about changes in the bill when the Senate begins actual work on it.

VIEWS

Among others, Vice President Nixon was reported to feel the language sponsored by the administration and approved by the House may be too stringent. This view apparently was shared by Sen. Knowland of California, the Republican leader.

Knowland said that after the measure is officially before the Senate he will be open to suggestions for possible changes.

Sen. Young (R-ND) announced at a Senate Republican Policy Committee meeting yesterday he would not vote to limit debate on the bill.

Unless Southern opponents talk themselves into exhaustion in the meantime, the measure can't be brought to a final vote unless 64 senators support debate limitation.

Sen. Douglas (D-Ill.), chairman of a committee of Northern Democratic supporters of the bill, said in an interview it was "premature to talk about amendments."

Sen. Russell (D-Ga.), who has charged that the bill would authorize "bayonet rule" to enforce possible future compromises, school integration and desegrega-

tion in public places in the South, agreed that, as the matter stands, Eisenhower would rather have no bill at all than to accept the Senate's insertion of the jury trial amendment in a measure which it already had stripped of authority to enforce civil rights in general.

Some House Democratic leaders voiced the opinion privately that the Republicans "don't want a civil rights bill this year." They contended the Eisenhower administration is stalling and hoping to carry the issue over into the 1958 election year.

Martin called the Senate bill in its present form a Democratic bill and declared, "We won't take it in the form it is likely to come out of the Senate."

POSSIBLE DEADLOCK

In foreseeing a possible deadlock over efforts to compromise differences between the Senate version and the more sweeping, administration-sponsored bill passed by the House, Martin said: "It looks to me as though this bill is dead for this session. That will put the whole civil rights fight over until next January when Congress reconvenes."

The chief executive's legal advisors are said to have told Eisenhower the measure the Senate may pass by midweek represents not only an "empty shell" for protection of voting rights but will hamstring government enforcement in other fields.

Martin Tags Revised Bill Unacceptable

WASHINGTON, Aug. 3 (AP) — Southern senators held a strategy session on the bill today and Sen. Russell (D-Ga.) told reporters afterword that he expects a Senate vote "within a reasonable time," perhaps Wednesday or even sooner.

"Up to now there has been no filibuster on this bill," Russell said. "None was planned at our session."

Sen. Knowland (R-Calif.), who breakfasted with Eisenhower, told reporters he hopes the House will send the measure to a Senate-House conference committee in an effort to compromise its terms. Knowland, the Senate Republican leader, did not rule out some compromise on the controversial jury trial amendment which he previously had said made the measure "ineffective." But he said he has yet to see any com-

Martin told a reporter: "The bill is not acceptable to us, and I don't think it's acceptable to a majority of the House."

He foresaw a probable deadlock which would put the issue over to next year.

DEMO CHARGE

The three administration leaders

promise he finds acceptable.

Sen. Lyndon B. Johnson of Texas, the Democratic leader, made it clear he hopes the House accepts the Senate version without a conference and lays the bill on Eisenhower's desk.

In a move that stunned administration leaders, the Senate wrote into the bill by a 51-42 vote early Friday a provision requiring jury trials in all federal court criminal contempt cases.

Criminal contempt is generally defined as an action in which a judge desires to punish a defendant for wilful disobedience of court orders. There would be no jury trials where a judge sought only to induce obedience by means of civil contempt citations and where the defendant could go free as soon as he complied.

Eisenhower said the jury trial provision would "make largely ineffective the basic purpose of the bill—that of protecting promptly and effectively every American in his right to vote."

On this ground he was represented as likely to urge House Republicans to stand fast against acceptance of the Senate version. He was said to feel that if this results in tying the measure up in a Senate-House conference committee for the rest of this session, proponents of a strong measure will be in a good position to resume the fight next January.

Knowland said, however, he personally is prepared to stay in Washington as long as necessary to get Senate action on a compromise bill if the House sends it to conference. He noted that any Southern filibuster against acceptance of a compromise bill would be somewhat limited in scope because senators would be confined to two speeches each and could not offer amendments in an effort to gain two additional speeches as they can do when a bill originally is under consideration.

The House either can accept the Senate bill or send it to a Senate-House conference committee. But in any event, the House Rules Committee headed by Rep. Howard Smith (D-Va) probably will have to clear it first.

Smith is an opponent of civil rights legislation and might delay rules committee action.

Jury Trial Amendment Nailed On Civil Rights

51-42 Ballot

Deals Defeat

To President

WASHINGTON, Friday, Aug. 2

The Senate early today nailed a jury trial amendment into the civil rights bill, thereby dealing a major defeat to President Eisenhower and forces backing the administration measure.

The vote was 51-42.

The amendment was approved at 12:14 a.m. after tense debate before jammed galleries.

Provides for jury trials in criminal contempt cases arising from injunctions the attorney general would be empowered to obtain to enforce voting rights. It also would apply in labor cases and many others.

Only yesterday President Eisenhower emphasized anew his opposition to a jury trial amendment. And Sen. Knowland of California, the Senate GOP leader, said it would be "a fatal blow" to the bill.

JOINED BY OTHERS

The amendment was offered by Senators O'Mahoney (D-Wyo), Ke-fauver (D-Tenn) and Church (D-Idaho). Southerners backed it solidly and enough Republicans and Northern Democrats joined them to put it across.

A big factor in its success was the adept, buttonholing generalship of Sen. Lyndon Johnson of Texas, Democratic leader and possible contender for the next presidential nomination of his party. Striving to keep Northern and Southern Democrats from flying apart, he fought for what he considered moderating changes in the civil rights bill.

Vice President Nixon had this comment on the Senate action:

"This was one of the saddest days in the history of the Senate because this was a vote against the right to vote."

The margin of the vote was a surprise. On the showdown, 39 Democrats and 12 Republicans voted for the amendment and 9 Democrats and 33 Republicans against it.

Southerners were jubilant. Sen. Russell (D-Ga), leader of the Dixie forces, had warned in advance that they would use "every means" at their command to try to defeat the measure if the jury trial amendment should be rejected.

The vote, taken in the midst of the fourth week of Senate debate on the bill, generally was regarded as making a Southern filibuster against final passage unlikely.

Russell has turned aside questions on that point. But he has said numerous amendments will be offered to other parts of the bill.

Last week the Southerners scored another major victory when the Senate voted 52-38 to strip the bill of all enforcement authority except to safeguard voting rights.

As passed by the House, the bill provided for the use of injunctions to enforce civil rights in general including racial integration in public schools and other public places.

Under the jury trial amendment adopted tonight defendants in criminal contempt proceedings to punish a person for wilful disobedience of an injunction or other court order would be entitled to trial by jury.

But in civil contempt cases, where a judge's purpose is only to secure compliance with his order and not to punish, there would be no jury trial.

ALL FEDERAL LAWS

The amendment applies not only to contempt cases arising under the civil rights bill but to all federal laws enforceable by injunctive procedures, including labor disputes.

And another provision, added to the amendment just last night, would permit Negroes or others to serve as federal court jurors regardless of whether or not they were qualified under state laws.

Sen. Johnson said this provision conferred "an important new civil right" on American citizens, and indications were that it helped to pick up crucial votes for the amendment.

The effect of the earlier broadening of the amendment to cover labor disputes and all other kinds of contempt proceedings was uncertain.

BACKED BY RAILMEN

The AFL-CIO Executive Committee announced its opposition to a jury trial amendment, but Johnson read a letter early today from the president of 12 railroad brotherhoods advocating a jury trial amendment.

United Mine Workers President John L. Lewis also supported a jury trial provision.

In the battle over the bill that still lies ahead, additional amendments may be offered to the voting rights section.

And a number of changes already have been proposed to another section that would create a bipartisan presidential commission, armed with subpoena powers, to make a general study of voting rights and other civil rights.

Still another part of the bill provides for the appointment of an assistant attorney general to supervise a new civil rights division in the Justice Department.

MEASURE KILLED?

Sen. Knowland, in a final fervent plea against the amendment, said he sincerely believed its adoption would "kill for this session of Congress" an effective voting rights bill.

Turning to the Democrats, he said, that "you have the power and must accept the responsibility."

If the bill was "emasculated" by the amendment, he declared, it would be sent to a conference with the House from which it "is

not likely to emerge" this session and perhaps not at the next.

Democratic Leader Johnson pictured the amendment as something the South could live with. He expressed belief "our people will accept bringing the federal courts into the voting rights picture."

But he said he was sure they never would accept the idea "of branding a man a criminal without a jury trial."

After the big decision, the Senate recessed at 12:19 a.m. till 10:30 a.m. today.

The hot debate had gone on, with few intermissions, for more than 13½ hours. All evening hundreds of people had waited to get into the visitors' galleries. Looking down from the family gallery were senators' wives while a number of visiting House members appeared on the Senate floor.

10 1957

President Wants World P.1 Handled By 7-6-57 able Persons

BY LOUIS LAUTIER

WASHINGTON — (NNPA) — President Eisenhower Wednesday proposed to submit the civil rights bill to a nationwide referendum and said he was not sure such could be done.

The proposal was made by Sen. Russell (D-Ga.) on the floor. He said he would offer an amendment to call for a nationwide vote at the right time.

SENATE OFFICIALS

Eisenhower told a group of news that issues on the bill should be handled by responsible government officials and that he did not know of any constitutional provisions which would allow Russell to submit the rights bill to a referendum.

While southerners still place in the mill to try to kill the bill.

SENATE SENATORS

The Senate was given a preview of the bitter attack Dixie senators will level against the Eisenhower Administration civil rights bill in a filibuster to prevent a vote on the Senate's even-odd measure.

Richard B. Russell, Democrat of Georgia, undoubtedly leader of the filibuster forces of the exhibition of what the attack will be like.

Some sources believed that it took the Senate floor a week to make the motion to take up the bill in an effort to get away from the southern opinion and support of the Democrat opposition.

His opening shots at the press, radio and television. He accused these mass communications media of carrying a propaganda campaign to deceive the American people as to the purpose and effect of the civil rights bill.

Georgia Democrat charged that the bill is cunningly designed to take away power from the states and to bring to the whole might of the federal government including the armed

forces if necessary," to force racial integration in the public schools of the South.

After quoting from articles which have appeared in several leading daily newspapers in the East describing the bill as "moderate" and saying it was designed to enable the Attorney General to obtain injunctions to prevent a denial of voting rights to colored people, Russell said:

FAIR SAMPLE

"They (the quotations) are a fair sample of the movement designed to inflame public sentiment in the rest of the nation against the white people of the South and their representatives in the Congress in order to force passage of the bill before the people generally understand it fully."

The bill itself "in all of its implications... is as much of an actual force bill as the measures proposed by (Senator Charles) Sumner and (Thaddeus) Stevens in Reconstruction days in their avowed drive to "put black heels on white necks!"

Russell admitted that "the American people generally are opposed to any denial of the right of ballot to any qualified citizen." He said that was the reason for confining the description to a voting bill.

Part III of the bill, Russell said, stamps the measure as "a force bill of unprecedented powers aimed at the white South."

He described Part II as "the most cunningly devised and contrived piece of legislation I have ever seen. It is the ultimate in the technique of legislative draftsmanship to obscure purpose while creating and conferring power."

Foes Fail To Hold Up Rights Bill Rayburn Rules Debate in Order

WASHINGTON, June 6 (UP).—Southern Democratic foes of President Eisenhower's civil rights bill were defeated today in a last-minute surprise effort to send the measure back to the House Judiciary Committee.

After an hour of tense jockeying, Speaker Sam Rayburn, D., Tex., ruled that the Southern

law makers had failed to make a valid point. The House then began formal debate on the controversial measure, which is one of the key points in Mr. Eisenhower's legislative program. The arguments will continue through Monday.

New Time Table

Under a new time-table worked out today by both opponents and supporters of the measure, the House will begin voting on amendments Tuesday, take Wednesday off, and then resume consideration of amendments on Thursday.

The four-point bill would create a Presidential civil rights commission, establish a Civil Rights Division in the Justice Department, authorize court suits to protect civil rights, and provide greater protections for minority voting rights.

As the House prepared to begin debate on the measure, Rep. Howard Smith, D., Va., a leading opponent, arose to complain that the House Judiciary Committee had submitted a defective report on the bill.

Point Ruled Not Valid

He said the report failed to comply in two instances with a House rule that it must include the existing language of all laws that would be changed by the pending legislation. He demanded that the bill be sent back to the judiciary group, which drafted it.

If successful, Rep. Smith's maneuver would have compelled the committee to re-draft its report and then send the bill on its second long tortuous route to the House floor through Rep. Smith's House Rules Committee.

That would have virtually killed its chance of passage this year.

But after an hour of intense argument over the House rules, Speaker Rayburn ruled that Rep. Smith's point was not valid. He told a hushed House that in the two instances cited, no change in existing laws was involved.

Nixon Assures Negro Leaders On Civil Rights

WASHINGTON, June 13.—Vice



Vice President Richard M. Nixon greets the Rev. Martin Luther King of Montgomery, Ala., at a Washington meeting to discuss America's racial problems.

President Richard M. Nixon assured two Negro leaders today that President Eisenhower and the GOP Congressional leadership stand "firmly in favor" of the Administration's civil rights bill.

The assurances were given at a two-hour and 10-minute session at Nixon's Capitol office with the Revs. Martin Luther King and Ralph Abernathy, both of Montgomery, Ala.

NIXON TO VISIT SOUTH

Mr. King said Nixon would visit the deep South soon to speak out for civil rights.

Nixon will make known his "views," the clergyman said, at a meeting, possibly in Atlanta, Ga., of the President's Committee on Government Contracts. This committee, headed by Nixon, monitors compliance with the law forbidding racial or religious discrimination by firms doing business with the Federal Government.

Secretary of Labor James P. Mitchell, who also attended the meeting, told newsmen that the clergymen, leaders in the Montgomery bus boycott last year, gave Nixon "their feelings as to

PRESIDENT EISENHOWER VICE PRESIDENT NIXON

'IKE' NIXON ACCUSED OF PLAYING POLITICS ON CIVIL RIGHTS BILL

June 8-6-57

Criticism Of Watered-Down Measure Draws Ire Of Democrat Leader

Memphis Tenn.

IRKED OVER 'LECTURING'

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, Aug. 5.—Senate Democratic Leader Lyndon B. Johnson (D., Texas) Monday accused President Eisenhower and Vice President Richard Nixon of going to "political excesses" in criticizing the Senate version of the Administration's Civil Rights Bill.

The Democratic leader scored Mr. Nixon for leading a "political propaganda" campaign against the watered-down Senate bill.

He told newsmen he was singling out the Vice President because of the latter's remark that it was a "sad day" when the Senate adopted an amendment guaranteeing jury trials in criminal contempt cases.

Says Nixon Heard Little

"This talk about the Senate refusal to waive the right of trial by jury being a dilution of the bill is political propaganda," Senator Johnson said.

He added that Mr. Nixon, who was rarely in the Senate during the four weeks of debate, "heard very little of the discussion on the bill," and biting observed that it is rare for a Vice President "to start lecturing the Senate."

The Senate leader's criticism of President Eisenhower was contained in a special memorandum outlining the provisions of the Senate bill.

The memorandum noted that "some have chosen to call it an emasculated and meaningless bill, and even a bill that would

destroy our judicial system."

'Ineffective,' Said 'Ike'

This was an apparent reference to President Eisenhower's statement last Friday that the jury trial amendment would make the bill "largely ineffective" and "would weaken our whole judicial system."

Continuing, Senator Johnson's memorandum said that "these political excesses do not serve the ends of obtaining at this time a meaningful advance in the field of civil rights legislation."

After discussing the provisions of the Senate bill, the Democratic leader's memorandum pointedly concluded:

"These are important advances in the field of civil rights. They are obtainable unless the passage of the bill is obstructed for political purposes by those who claim to be interested in advancing the protection of civil rights for American citizens."

The Senate devoted Monday to other legislation. It is expected to take up the Civil Rights Bill again Tuesday but by unanimous agreement has ruled out further amendments. A final vote on passage is expected late Wednesday after a series of speeches for and against the bill.

Seen As Counterattack

Senator Johnson's remarks were an apparent counterattack against Administration pressure to force the bill into a Senate-House conference committee after it clears the Senate.

Senator Johnson and others are hopeful the House will accept the Senate bill and that the complications of an inter-chamber conference can be avoided.

If the House should accept the Senate bill, it then would go directly to the President for his signature or veto.

Anonymous Administration sources said Sunday the President would veto the Senate bill in its present form.

However, Southerners saw this statement as a part of the pressure tactics aimed at encouraging House Republicans to reject the Senate bill and force it into a conference.

Aides Talk To Halleck

They were inclined to concede, in the face of the White House pressure, that this will be the probable result. They previously had thought a conference could be avoided.

Gerald Morgan and Wilton Persons, special White House aides to President Eisenhower, lunched at the Capitol Monday

with Representative Charles A. Halleck (R., Ind.), assistant House GOP leader. They were believed to have discussed the Civil Rights Bill.

Administration sources have centered their fire on the jury trial amendment attached in the Senate, arguing that its broad scope would create complications in the handling of anti-trust and regulatory agency proceedings.

The President was portrayed as insisting that at the very minimum the jury trial provision should be limited to voting cases.

Senator Johnson said the evidence shows the amendment would apply only rarely to anti-trust and regulatory agency proceedings.

Death Knell Deplored

He said the Senate had decided by a substantial vote not to abandon the right to trial by jury. He said "a substantial majority was not willing to play politics" with the issue.

Meanwhile, Senator Barry Goldwater (R., Ariz.) deplored talk that the bill ultimately will die.

"It's not the bill some proponents of civil rights wanted," he told the Senate, but he said "reasonable, honest men can get together" for action this year.

"I don't want to be a part of any accusation of death until the body is delivered," he said.

Senator Joseph C. O'Mahoney (D., Wyo.), a co-author of the jury trial amendment, predicted that "unless it is ruthlessly sabotaged by purely partisan stupidity," the Senate bill will be speedily accepted by the House and signed by President Eisenhower.

"In its present form it is the greatest forward step in racial relations that has become possible of achievement since the emancipation proclamation," he declared, and added:

"The hasty charges that the Senate amendments emasculate the bill are now being recognized for what they are—baseless, emotional outbursts."

Martin Sees Demise

The Wyoming Democrat said the question now before the country, the House of Representatives, and the President, is simply:

"Shall the Civil Rights Bill be sacrificed to political expediency or shall we take a long step toward equal rights and the solution of the race problem?"

Before the legislation could go to the White House, however, Senate and House versions would have to be adjusted. House GOP

Leader Joseph Martin of Massachusetts has predicted the bill will die in conference.

The controversial amendment provides for jury trials in nearly all cases of criminal contempt arising from Federal court injunction proceedings.

It was attached to a section of the bill authorizing the attorney general to seek Federal court injunctions against any violations or threats of violations of voting rights. Under present law, when an individual violates the terms of an injunction and is charged with contempt of court, he would be tried by a Federal judge without a jury.

The amendment provides for jury trials not only in voting rights cases but in labor disputes and a host of other type of cases.

Nixon Predicts Civil Rights

Ike Makes No Concessions, Russell Says

WASHINGTON, July 10 (AP)—Vice President Richard M. Nixon told a group of House Republicans today he expects the Senate to pass President Eisenhower's civil rights bill without making any major concessions to its Southern foes.

Nixon made his prediction after Sen. Richard B. Russell (D., Ga.) said Mr. Eisenhower assured him at a 50-minute White House conference the administration would not use any new civil rights law to launch a "punitive expedition against the South."

As the Senate held its third day of debate on the issue, Nixon discussed the bill's prospects privately with members of the 85 Club, which is composed of first-term Republican House members. Participants relayed his remarks to reporters.

Rep. Edwin H. May Jr. (R., Conn.), the club's secretary-treasurer, said Nixon is optimistic about the fate of the legislation in the Senate. He said Nixon told the group he is determined to get the bill passed, "no matter how long it may take."

"It is his feeling the bill will go through without compromise," May said. He said Nixon believes the Senate at most would adopt only some amendments to clarify the language of the bill.

May said he understood Nixon to mean he expected no substantial change in the bill, such as the addition of a provision guaranteeing jury trials for persons accused of violating civil rights

injunctions.

Sen. Joseph C. O'Mahoney (D., Wyo.) has proposed such a provision as the basis for possible compromise in the dispute. The Southerners have made a prime target of the failure of the House-approved bill to guarantee jury trials in civil rights cases.

May said Nixon indicated he looks for a Summer-long fight. If the debate extends through August, Nixon was quoted as saying, he expects the House to recess, pending the outcome of the Senate struggle.

Russell, the veteran leader of the Southern bloc, arranged his meeting with the President in order to outline the reasons for his opposition to the administration bill.

After his conference, Russell indicated to newsmen he failed to win any major concession from the President. But he said the President's mind was "not closed" to amendments designed to clarify the bill.

He said the President definitely wants congressional approval of a civil rights bill.

But he said, "I found no intention of purpose on his part to go to any punitive expedition against the South." Russell said he told the President about some implications of the bill that Mr. Eisenhower "hadn't considered" before.

As a result of his parley with the President, he said, "we both have a much better understanding of the other's views."

The Senate is not expected to vote until next Tuesday or Wednesday on the motion of Senate Republican Leader William F. Knowland (Cal.) that the Senate actually take up the House-approved bill. Approval of his move is considered virtually certain.

The Senate is then expected to plunge into a long Southern filibuster against the bill itself. Knowland has predicted that the talkathon would last about eight weeks.

As approved by the House, the bill would (1) set up a presidential civil rights commission; (2) establish a civil rights division in the Justice Department; (3) authorize court suits to protect civil rights and (4) provide greater protections for Negro voting right.

Before Nixon spoke to the acute problem, I would say so takes. GOP House members, Chairman Emanuel Celler (D., N. Y.) of the House Judiciary Committee, chief sponsor of the House bill, chided the administration for what he called its failure to insist on an unchanged bill.

Celler particularly denounced moves, advanced by some Senate Republicans privately, to go along with O'Mahoney's proposal for jury trials in civil rights cases.

"There seems to be no fight in the administration," he said. "The President bends with every wind. I can't see a Truman or a Roosevelt — either Teddy or FDR — yielding so pusillanimously."

"We liberal Democrats went out on a limb in fighting for his bill, a limb the administration now would cut off," he said. "Apparently the administration began with a bang and now goes out with a whimper."

IN RELATION TO POLICY

Collins Questions Ike's Civil Rights Statements

TALLAHASSEE, July 8 (AP)—Gov. LeRoy Collins said today it is difficult to reconcile President Eisenhower's recent statements on states' rights with policies the federal government is now following under his leadership.

One of President Eisenhower's programs now before Congress calls for federal aid to education, Collins said.

"I can see no basic reason what in determining the effect of complicated bills adopted by the Legislature."

Collins said all states, including Florida, "are behind in meeting the needs for school building construction." But in Florida, he said, the situation has not resulted from the lack of willingness to do something.

"The real vacuum has been created by the present federal tight money policy which makes it impossible for our counties to borrow money at a reasonable rate of interest," the governor said.

"If the federal government would busy itself in relieving this

far as Florida is concerned that we can and we will meet all our school needs on our own."

Collins attended the National Governors' Conference last month in Virginia where President Eisenhower challenged the states to take over some of the costly programs now financed by the federal government.

Collins, remarking that any government must serve the needs of the people, said he supported states rights if the term meant a program for action but was opposed if it meant "an excuse for failures to move forward."

Collins said he "intended to explore further" the operation of a New York State agency called a "consumer bureau" which is charged with the duty of examining every state activity, existing or proposed, to determine its effect on consumers.

Collins said a similar agency in Florida could furnish valuable assistance to the chief executive

said there was no discussion at Tuesday's White House session regarding merits of the bill. Mr. Eisenhower repeatedly has called it a decent bill and a moderate one.

The chief executive also told G.O.P. leaders that he is aware the civil rights battle may mean that certain other key measures must be by-passed until next year.

Reporting this after the president's weekly conference with Republican congressional leaders, Senate G.O.P. Leader Knowland (Cal.) also said Mr. Eisenhower has not closed the door against "clarifying" amendments to the bill.

Vote This Week?

Knowland said he hopes a vote can be reached this week on his move to call up the bill by "lengthening" the sessions. But he said he and other supporters will not decide until Thursday whether to try to hold the senate in session continuously on Friday and Saturday in an effort to get to a vote.

"We will review the situation Thursday," he said. "I hope that the sessions will lengthen out but I hope it will not be necessary to go around the clock."

Serious Problem

"It will present a serious problem, however, if the vote on the motion is delayed beyond this week. It seems to me a week's time is a reasonable period in which to get a bill before the senate for a discussion of its merits."

Plan to Hold Congress in Session Till President's Rights' Bill Gets Action

He made it clear that he looks for a filibuster by southern foes of the civil rights bill if and when the senate does vote to make the bill its pending business.

Washington, D. C.—President Eisenhower Tuesday backed Republican plans to keep congress in session until his civil rights program is acted upon, regardless of how long it

4 to 8 Weeks

In reply to questions, Knowland

Ike, States' Rights
Time - Picayune
 President Eisenhower's reaffirmation at Williamsburg that he believes in states' rights made strong points with which almost everyone should agree—such as the inevitable philosophic and governmental weakening that “depending on papa” brings. Also:

“The elimination of the federal overhead — stopping the ‘freight charges’ on money being hauled from the states to Washington and back . . . would save the American taxpayer a tidy sum.”

The tangle now existing has been arrived at by a combination of demagoguery, federal aggressiveness, states' complacency and greed (reaching beyond reason and emergency need), the “Santa Claus” illusion and all it implies, the “They’re dishing it out so I’ll get mine” rationalization, and so on.

To unravel it—even to find a point of beginning—is no child’s undertaking; no job for the only “partly willing”; no easy snap in view of centralization’s hold on the minds, pockets and political fortunes of a considerable number of people.

The President’s suggestion of a “task force” or new task force, is a step perhaps in the necessary direction; but it contains apparently a basic assumption that as to certain states’ functions, responsibilities et al, it is the 48 states together that must decide them, not each state for itself, and that if the 48 states do not all decide to take on responsibilities that are new and controversial, centralization — the federal way — is the only answer. This robs individual states of choice; presents a tweedledum-tweedledee alternative concerning the functions, responsibilities, objectives, of federal and state government. The 10th amendment, moreover, is not so easily to be disposed of.

Ike Doesn't Understand All Of Bill

Post-Herald
Mon. 7-4-57
 BY GENE WORTSMAN
 Post-Herald Correspondent
 WASHINGTON, July 3—President Eisenhower admitted today there are certain phrases in the pending civil rights legislation that he doesn't completely understand.

However, he said, it is “incomprehensible” to him that some people say the law is very extreme.

And, he added, he knows what he wanted the bill to say, but he did not participate in actually drawing the bill up.

These remarks were drawn from him at his weekly press conference when he also opposed holding a national vote on the civil rights legislation.

The President's comments would seem to indicate that he has not gotten the full Southern point of view on the proposal.

Sen. Richard B. Russell (D., Ga.) yesterday said “I doubt very much whether the full implications of the bill have ever been explained to President Eisenhower.”

Post-Herald
 Senator Russell, leader of the Senate Southern bloc, announced yesterday he would offer an amendment to make the proposed law effective only if approved in a national plebiscite. He said it would call for such a referendum in the 1958 congressional elections.

Southerners say that the measure would deny trial by jury and would permit federal-armed forces to enforce the measure.

The President said today that he knew what objectives he was seeking in the civil rights bill.

They were to prevent anyone from interfering with another's right to vote, and to set up a special secretary and a commission in the attorney general's office to give special attention to such matters.

“Now,” said the President, “to my mind, these were simple matters that were more or less brought about by the Supreme Court decision, and were a very moderate move.”

“I find that men, men that are highly respected in their states and the Senate, have suddenly made statements, ‘this is a very extreme law, leading to disorder,’ and all that sort of thing.”

“This, to me, is rather incom-

then would be willing for the bill to be written specifically dealing with the right to vote.

“Well,” he said, “I would not want to answer this in detail, because I was reading part of that bill this morning, and there were certain phrases I didn't completely understand. So, before I made any more remarks on that, I would want to talk to the attorney general and see exactly what they do mean.”

Eisenhower was asked, in view of Senator Russell's remarks about the implications of the bill, whether he has talked with critics of the legislation.

“Oh yes,” he said, “. . . I have talked to a very great many critics, but Senator Russell has never given me any oral or written message on it himself.”

Meanwhile, Sen. William F. Knowland (R., Cal.), Republican minority leader, today served notice that the administration will try Monday to bring the bill up for Senate debate.

This means that a Southern filibuster should begin at that time.

St. Clair County, who died yesterday in a Leeds hospital, will be at 4 p.m. today at Low Gap Methodist Church, the Rev. Dan Kilgore officiating.

Mrs. Riddle, a resident of Odenville, was a member of the Low Gap Church and formerly was active in the Order of Eastern Star. Her death followed a short illness.

Surviving are two sons, Carl B. and Verd L. Riddle, both of Odenville; two sisters, Mrs. Molly Simmons, Odenville, and Mrs. Ella Cosby, Blount County.

Senators Claim President Crippling Rights Measure

Advertiser
Mon. 7-4-57
 By WILMOT HERCHER

WASHINGTON, July 3—Sen. Neuberger (D-Ore) accused President Eisenhower today of showing “a lack of knowledge and a lack of enthusiasm” for the civil rights bill now being fought over in the Senate.

If the legislation “is frittered away in compromises and weakening amendments,” Neuberger declared, the President would be to blame.

Sen. Knowland of California, Republican leader, defended the President, saying nothing was to be gained by “partisan attacks.”

It was the second day in a row that Northern Democrats supporting the bill have criticized Eisenhower's attitude.

The criticism came as sentiment appeared to be mounting in the Senate to limit the terms of the bill to the protection of voting rights. This could reduce to some extent the hard core of Southern Democratic opposition.

Knowland, a leader in the fight for civil rights legislation, already is sponsoring one change in the pending bill. Without going into details, he told newsmen today that undoubtedly other “clarifying” amendments would be offered.

Neuberger told the Senate that Eisenhower “has made infinitely more difficult the task of those who have hoped, earnestly and sincerely, that at last we were to see meaningful and effective civil rights legislation enacted.”

Sen. Morse (D-Ore) supported Neuberger with an assertion that some of Eisenhower's recent comments on civil rights were conflicting and meaningless. He didn't elaborate.

Knowland declared the responsibility for getting the bill through rested with the Senate and Congress, not the President.

The bill, as it now stands, would permit the attorney general to take the initiative in seeking federal court injunctions to prevent violation of civil rights.

In the case of school integration at least, Eisenhower indicated he would favor action by the

attorney general only upon “request from local authorities.”

Knowland said he expected the Senate to start voting Monday on the highly controversial Section 3 of the bill, which would empower the attorney general to seek injunctions for the protection of a broad field of civil rights.

AMENDMENT OFFERED

An amendment has been offered by Sens. Anderson (D-NM) and Aiken (R-Vt) to strike out this whole section. If adopted, this change would confine the new authority proposed for the attorney general to the protection of voting rights.

Knowland and Sen. Humphrey (D-Minn) teamed up yesterday to offer an amendment designed to meet Southern objections that school integration might be enforced at bayonet point.

The amendment would repeal an old law of the Reconstruction Act authorizing the use of troops to enforce court decrees.

OLD LAW

The Southern senators had protested that because of the way Section 3 of the bill was drafted the old law could be invoked to carry out the Supreme Court's decision against public school segregation.

Sen. Russell (D-Ga) argued today the bill would remain “a force bill of the rawest kind” even if the authority to use troops were wiped out. Russell is the floor leader of the Southern opposition.

He told the Senate that enactment of the legislation with only that one change “would work irreparable injury to the white and Negro citizens of the South.”

The amendment by Knowland and Humphrey was made the pending business of the Senate today.

'IKE' PLANS PRESSURE ON CIVIL RIGHTS BILL

Mon. 4-29-57
May Be First On Agenda Of

Senate Committee As
Recess Ends

By JOHN CHADWICK
Associated Press Staff Writer

WASHINGTON, April 28.—With the return of Congress Monday from a 10-day Easter vacation, President Eisenhower is expected to reinforce efforts of his Senate and House leaders to get action on his lagging legislative program.

On tap immediately is another meeting of the Senate Judiciary Committee on the Administration's civil rights bill. This measure has languished since it was approved by a 4-2 subcommittee vote last March 19.

Meeting Set Today

Chairman James O. Eastland (D., Miss.) has said that "in all probability" the committee will begin consideration of the measure at Monday's meeting, but he declined any prediction on how long it might take to reach a showdown vote.

Time is a factor since Southern foes of the bill have vowed to try to filibuster it to death, as they have done other civil rights measures in the past, if it is reported out of committee and brought up for action in the Senate.

Close associates of Mr. Eisenhower said that, with his return from Augusta, Ga., Tuesday, he can be expected to take a hand in efforts of his congressional leaders to push along not only the civil rights bill but other key parts of his program, such as foreign aid, Federal aid for school construction and increased immigration of refugees.

Filibuster Threat

With four months of the present session already gone, no hearings have been held on Mr. Eisenhower's refugee proposals in either House or the Senate. A House Education Subcommittee has approved a school aid bill, but no action has been taken in the Senate.

The President's \$4,400,000,000 foreign aid program has run up against a budget-cutting drive.

The "Southerners' filibuster weapon becomes increasingly effective as adjournment appropriation bills and other measures begin to pile up. So far the Senate has not passed any of the regular money bills for the new fiscal year starting July 1, although several have cleared the House.

Demos Charge Ike Lags On Rights

WASHINGTON, May 2 (AP)—A

Democratic complaint that President Eisenhower has not been sufficiently active in behalf of civil rights legislation brought a Republican retort today that the Democrats are "foot dragging on the issue."

The complaint against Eisenhower was voiced by Rep. Celler (D-NY) chairman of the Judiciary Committee which approved the administration-backed civil rights bill on April 5-3-57.

Testifying in behalf of the legislation before the House Rules Committee, Celler renewed earlier

statements that Eisenhower was not pushing the measure enough. "Mere words do not get a bill passed," Celler said.

Rep. Keating of New York, senior Republican on the Judiciary Committee, issued a statement calling Celler's criticism of the President "a blatant and transparent effort to shift the responsibility for inaction and delay from the Democratic leadership, where it belongs, to the White House, where it does not belong."

Keating said Eisenhower "repeatedly importuned" both this and the last Congress to enact civil rights legislation and that Atty. Gen. Brownell had supported it.

On the other hand, he said, nearly all the opposition and "foot dragging" came from the Democratic side.

This flareup enlivened an otherwise dull opening session of the Rules Committee on the measure approved by Celler's group. Rep. Howard Smith (D-Va), Rules Committee chairman, set a leisurely pace for the hearings in line with Southern strategy to delay the bill as long as possible.

Admonishing his fellow committee members at one point to take turns in asking questions, Smith said "it will save time—not that

I'm particularly interested in saving time."

Rep. Roosevelt (D-Calif), and other civil rights advocates began circulating a petition earlier this week to force the measure out of the traffic-directing Rules Committee and to the House floor for a vote. This would require 218 signatures, a majority of the House.

Rules Committee questioning of Celler ranged over many provisions of the Judiciary Committee bill, and the session ended with a decision to resume the hearing next Tuesday.

Rep. Colmer (D-Miss) asked Celler about the makeup of the Judiciary subcommittee which held

hearing on the legislation. Colmer remarked that no member from the South, "the section that supports the Democratic party," was on the subcommittee.

"If you're trying to infer I packed the subcommittee, that is not a fact," Celler replied. He said all Judiciary Committee mem-

bers he knew to be opposed to the measure were invited to sit with the subcommittee during the hearings.

Ike Doubts Civil Rights Bill Would Damage GOP In South

WASHINGTON, May 15 (AP)—

President Eisenhower said today he did not believe his civil rights

proposals would, in the long run, hurt the Republican party in the South.

He was reminded at his news conference that in a recent message to a regional meeting of Republicans at Louisville, he had predicted the Republicans would make gains in congressional seats and governorships in the South.

The President then was asked said Congress should "establish and will be guided by the constitution," Mason said. whether "your advocacy of the some form of control over the civil rights bill would hurt the Re-Supreme Court so that the personal Mrs. Blitch inquired whether public chances of winning in the rights and privileges guaranteed Congress could investigate the South."

He replied: "Well, of course, I don't believe. Repls. Davis (D-Ga), Andrews in the long run, in its study that (D-Ala), Blitch (D-Ga), and Pat-it will, because the civil rights

bill is a very moderate thing, done man (D-Texas) quickly comment in all decency and in a simpleed Mason. 5-4-57 attempt to study the matter, see Rep. Davis said Mason's message where the federal responsibilities should serve as a warning lie, and to move in strict accordance with the Supreme Court's decision, and no faster and no further."

Southern critics have called the program anything but moderate. Sen. Johnston (D-SC), commenting today on Eisenhower's remark that the program shouldn't damage Republican political chances in the South, said:

"That shows that Eisenhower doesn't know any more about court in some of its recent decisions, and asked whether he does about running the government."

A main theme of the opposition is that the Administration bill would permit judges to issue injunctions against alleged violation of civil rights and then, without a jury, decide whether those named in the injunctions were guilty of contempt of court.

Eisenhower was asked about "the jury trial" issue, but said he was "not enough of a lawyer to discuss that thing one way or another." He added:

"I do know that the federal courts must not—I mean, their dignity and their position and prestige must be upheld. But I am not going to talk about that matter. You will have to go to the attorney general. He knows more about it than I do."

Congressmen Call For Probe Of Court

WASHINGTON, May 13 (AP)— enough to prevent such an investigation? Franklin Roosevelt was "finally successful" at packing the court. The high court, she said, has become a quasi-legislative body. "If the Congress continues to accept this invasion of the rights and responsibilities of the elected representatives of the people in Congress, I predict an upheaval

Mrs. Blitch asked what could be done about the present court. Mason replied that President

House members heard calls today when he found that the justices were unwilling to go along with his plans. "All we can do now is to see in a floor speech attacking the Eisenhower administration's civil rights bill, Rep. Mason (R-Ill) the court are of the right type

and will be guided by the constitution," Mason said.

Mrs. Blitch inquired whether Congress could investigate the court or some decision of the court.

There is nothing to stop Congress from taking an impeachment resolution. It would mean a clarifying investigation," Mason said. He added that Congress does not have the authority to investigate the court without an impeachment resolution.

Partman said President Eisenhower's last two appointments to the Supreme Court had been from the lower courts and that he hoped the President would continue this practice. "We'll have a good Supreme Court if he does," he said.

Earlier, in a statement from her office, Mrs. Blitch said the "left-wing members" of the court should be investigated.

She told Mason there is a need to find out what motivated the branches of government — through its control over the purse strings. He said that, the house, in its handling of appropriations, could investigate the manner in which the court had expended its appropriations.

Concerning an investigation of the high court, Mrs. Blitch said in her statement that "it is time for the Congress to find out the motivations that are causing the Supreme Court to do more to destroy the democratic processes of government in this country than all of Russia and its allies and satellites combined."

There are many members of Congress who would be in favor of an investigation, she said. But, Mrs. Blitch added, "the question is, is the voice of the NAACP (Na-

in government of which has never been experienced in democratic countries," she declared.

Popularity of Rights Bill Fading, Says Forrester

Washington, D.C. (AP) —

Rep. E. L. Forrester (D-Ga.) said yesterday public opinion is turning against President Eisenhower's civil rights bill.

"This legislation is not nearly as popular as it was three years ago," Forrester said in testimony prepared for the House Rules Committee, which continued hearings on the measure yesterday.

"It is not nearly as popular as it was in January of this year. It is not as popular as it was one week ago."

He said existing Federal and state laws provide "remedies completely ample for any person interested only in obtaining his civil rights" and that "the only ones crying out for civil rights legislation are minority pressure groups."

Forrester opposed the provision in the bill for a Presidential commission to investigate civil rights matters, but said "I would have no objections whatsoever to a Congressional investigation . . . with full freedom of the press, radio and television to have full coverage."

Three other legislators opposed the bill at the hearing.

Rep. DeWitt S. Hyde (R-Md.) objected to its failure to provide for jury trials and said the House should be allowed to act on an amendment to correct that provision. Even with such an amendment, he said, "the bill will be one of the most crippling laws" ever enacted.

Rep. Richard H. Poff (R-Va.) called the measure an invasion of state rights, while Rep. John Dowdy (D-Tex.) said it would set up "a despot" in the Attorney General's office and "if we had a Hitler in the United States, the first thing he would want would be a bill of this type."

VOTE ON RIGHTS ACTION BACKED

New Orleans, La. (AP) —

House Committee Agrees to Ballot on Move

June 5-14-57

By J. W. DAVIS

WASHINGTON, May 13 (AP) — The Eisenhower administration's civil rights bill made some progress in the House today but again got nowhere in the Senate.

The House Rules Committee agreed, on a vote reported to have been 8-4, to take a vote May 21 on sending the legislation to the floor.

In the Senate, southern opponents of the bill prevented any action by the Judiciary Committee and rebuffed a proposal by Sen. Hennings (D-Mo) to take a decisive vote by Thursday.

"The South is still in control," commented Sen. Wiley (R-Wis.).

In side developments, two northern congressmen, Reps. Miller (R-NY) and Mason (R-Ill.), attacked the legislation.

Called 'Most Dangerous'

Miller called it "the most dangerous piece of legislation contemplated in the halls of Congress." He said it carries a threat to the jury system in a way pointing "to the wholesale destruction of every constitutional safeguard."

Mason said the legislation would violate the constitutional rights of states and would "constitute government by federal injunction."

The bill, similar to one which passed the House last year but died in the Senate, is aimed primarily at alleged violations of Negroes' rights in the South, including voting rights.

No Senate Action Set

By deciding to vote a week from tomorrow, the House Rules Committee made a House vote likely by late May. The Senate schedule calls for no action until after the House acts.

On the Senate floor today, Minority Leader Knowland (R-Calif.) twitted Majority leader Johnson (D-Tex) about omitting the measure from a suggested list of bills to be acted on this session.

Knowland said he was sure this omission was "by inadvertence."

Johnson told Knowland with some heat that he already had advised him he expected the civil rights bill to be voted on by the Senate this session.

'Most Indefensible'

Johnson said further that "aof bills to the House floor, plans to begin its hearings immediately after the recess. It was expected that the bill would be called up on the House floor for final action early next month."

Sen. Ervin (D-NC) denounced the measure "as the most damnable, most indefensible bill ever laid before Congress," and declared that to defeat it he would be willing to talk much longer than the 90 minutes he consumed this morning at a Judiciary Committee meeting.

Ervin had the floor in committee for the entire time it was in session today. Sen. Hennings (D-Mo) never got a chance to offer a motion that the committee meet morning, afternoon and evening this week with a view to early action.

Rights Bill Still Stalled

New York, N.Y. (AP) —

Judiciary Group Fails to Set Vote

WASHINGTON, Apr. 15 (AP) — The Senate Judiciary Committee failed for the fourth straight week today to set a date for a showdown vote on President Eisenhower's civil-rights bill.

The committee adjourned without acting on a motion by Sen. Thomas C. Hennings Jr., D., Mo., calling for an up-or-down committee vote on May 6. He tried unsuccessfully in three previous meetings to obtain action on his proposal.

The committee chairman, Sen. James O. Eastland, D., Miss., told newsmen that "in all probability" the committee will begin consideration of the bill at its next meeting April 29 after Congress returns from its traditional Easter recess.

Action in House
Mr. Eisenhower has urged

Congress to approve a four-point civil-rights bill which would (1) establish a bipartisan Civil Rights Commission; (2) create a Civil Rights Division in the Justice Department; (3) authorize court suits to protect civil rights, and (4) provide new safeguards for minority voting rights.

The House Judiciary Committee already has approved the legislation with minor modifications. The House Rules Committee, which regulates the flow of bills to the House floor, plans to begin its hearings immediately after the recess.

It was expected that the bill would be called up on the House floor for final action early next month.

Sen. Hennings, a leading civil-rights advocate, headed a Senate Judiciary subcommittee on Constitutional rights which approved the legislation after extensive hearings.

Ike To Issue Rights Foes

Montgomery, Ala. (AP) —

Stiff Protest

June 2-57

WASHINGTON, June 1 (UP) — The Eisenhower administration will face strong objections next week to Southern charges that the pending House civil rights bill would deny right of trial by jury, it was learned today.

The protest will be lodged on behalf of President Eisenhower by Atty. Gen. Herbert W. Brownell, Jr.

The House opens four days of debate on the controversial measure Wednesday, with prospects a final vote may come Saturday.

A Southern bloc hopes to amend it to require jury trials in civil rights contempt cases.

LETTER OF PROTEST

Brownell will send the House a letter of protest, probably Monday or Tuesday. The bill as written would permit the government to obtain injunctions to prevent civil rights violations. The Southerners claims this amounts to denial of the right of trial by jury.

Eighty-three Northern House Democrats supporting the legislation have appealed to both Eisenhower and Brownell to "speak out" on the amendment. They warned it would cripple the measure.

ure.

Rep. Kenneth B. Keating of New York, GOP pilot for the bill, said Eisenhower made clear that he opposes the amendment during an informal discussion with him and others.

Keating predicted the amendment will be defeated when its "full significance" is explained.

SOUTHERN BLOC

Rep. Edwin E. Willis (D-La.), a leader of the Southern bloc, said he is confident it will be adopted. He said the Southerners have lined up considerable support among Northerners.

House Democratic Whip Carl Albert (Okla.) predicted adoption after a "real fight."

"Our whole system of justice is based on jury trial," he said. "If the bill can't be made to work in conjunction with jury trial, it has no right to work."

Keating contended the jury trial squabble is a "lot of dust thrown in the air." He said that requiring jury trials would be "injecting something new into our laws," since no jury trial is provided in about 30 other laws dealing with contempt.

Wording Of Rights Bill Worries Ike

By ETHEL L. PAYNE

WASHINGTON — Civil rights is hotter than a barrel of fourth of July firecrackers all ready for a take off. The Capital is in a tizzy, even before the expected opening of the filibuster when the bill is called up next week.

President Eisenhower added to the battle din when he suggested at his news conference on Wednesday that he might be open to changes in the language to modify his already moderate Rights bill.

He was asked whether he didn't feel that as the measure stands now, it attempts to enforce the Supreme Court schools decision and whether he would favor revising it to emphasize the right to vote only.

The President said he had read the bill this morning and there were some parts he did not under-

stand himself; therefore he planned to talk with the Attorney General about possible language changes.

Ike said he was open to all view points; that he had discussed the bill with southern leaders at the governors' conference at Williamsburg, Va. He repeated again his assertion that the bill was a moderate one, not designed to persecute anyone.

Earlier, the President was asked whether he agreed with Sen. Richard Russell's proposal that the Civil Rights Bill be submitted to a national referendum.

The Chief Executive disagreed with this, saying he didn't know of any power in the Constitution for a referendum on such a matter. He said he did not know how such a question could be posed for a referendum.

The dominance of civil rights, even above the H bomb and fallout was apparent at Wednesday's press conference.

Hardly had the President entered flanked by his two press secretaries, James P. Hagerty and Mrs. Anne Wheaton, when Marvin Arrowsmith of the Associated Press led off with the first question on civil rights.

Soon, James "Scotty" Reston, of the New York Times posed the second one on whether changes weren't needed.

Both Arrowsmith and Reston, normally ask questions in the international field and seldom concern themselves with domestic matters such as civil rights.

All in all, three questions on the rights bill were tossed at the President, something of a record for one day on this subject.

IN CIVIL RIGHTS LEGISLATION

Eisenhower Urges Senate To Stop Jury Amendment

PRESIDENT EISENHOWER

WASHINGTON, July 31 (AP) — President Eisenhower urged the Senate today to pass the civil rights bill quickly—and without a jury trial amendment.

"I support the bill as it now stands, earnestly, and I hope that it will be passed soon," the President told his news conference.

"That is my last word on civil rights," he added. A sweeping jury trial amendment which would revise the general law in criminal contempt cases is now being debated by the Senate.

Three attempts to fix a time for voting on it were made this afternoon but all were blocked by Sen. Russell (D-Ga), leader of the Southern opposition to the bill.

GOP Leader Knowland of California asked first for a vote on the amendment tomorrow, then for one Friday and finally for one Saturday. Russell objected each time.

The Georgian said he hoped a vote can be reached by tomorrow night but that he didn't want to commit his forces to a definite time. The Southerners favor the amendment while opposing the bill as a whole.

Knowland also has under consideration a motion to table the amendment. Such a motion is not debatable. If it were offered and adopted the amendment would be killed. If the motion were lost the situation would remain as it is.

Senate leaders continued their efforts to lay aside the civil rights bill temporarily to get action on a number of appropriations measures and other legislation blocked by the long debate.

A unanimous consent agreement is needed to suspend the civil rights debate. Sen. Morse (D-Ore) blocked such an agreement yesterday, but he said today he would have no objection to sidetracking

civil rights temporarily if the agreement contained a debate limitation clause and fixed a time for a vote on the jury trial amendment.

Morse suggested a vote before or soon after Aug. 8, one week from tomorrow. There was no immediate indication whether Southern Democrats opposing the civil rights legislation would commit themselves to a specific voting time.

Knowland, the Senate Republican leader, told newsmen he would prefer a voting deadline of his week. He could force a vote by offering a motion to table the amendment. But he said he couldn't do this without giving at least a day's advance notice.

PRESIDENT HITS REVAMPED BILL

Vote on Rights Measure Expected Tuesday

By J. W. DAVIS

WASHINGTON, Aug. 2 (AP) — President Eisenhower blasted the revamped civil rights bill in an angry statement today but the Senate pushed it to the point of passage.

When the chamber knocked off work in late afternoon it had completed all action on the bill except the roll call on approval.

Sen. Lyndon Johnson of Texas, Democratic leader, said he hoped for that roll call next Tuesday. There was no sign of a filibuster.

Eisenhower struck hard at the amendment, adopted last night, guaranteeing jury trials of any criminal contempt of court charges growing out of voting rights cases or a host of other

HOPING FOR CHANGE

He said this was a blow to "our whole judicial system" and added: "It will also make largely ineffective the basic purpose of the bill—that of protecting promptly and effectively every American in his rights to vote."

This presidential language raised speculation about a possible veto, but some supporters of the administration measure were hoping to change the Senate amendment in a Senate-House conference.

The House has passed a bill along the lines desired by the administration. For one thing it provides no jury trials in cases where persons violate voting rights injunctions issued by federal judges at the request of the attorney general.

The Senate bill as amended provides that when violations of voting rights occur or are threatened the attorney general can go into federal court and ask an injunction. Persons flouting the injunctions would be subject to contempt action.

NO BILL, IS PREDICTION

Two forms of such action would be possible, depending on circumstances. The judge could jail the balking person for civil contempt—a move designed to induce him to obey the injunction.

But if the judge wanted to punish him for criminal contempt, a jury trial would be necessary.

Other sections of the Senate bill would set up a commission to investigate civil rights problems, and create a civil rights division in the Justice Department.

This morning, Sen. Knowland of California, Republican leader who fought the jury trial amendment, expressed belief that it was now unlikely any civil rights bill would reach the statute books this year. He and Rep. Keating of New York, a leading House Republican, took the view that a Senate-

House conference could not succeed in combining the two measures.

'BETTER THAN NOTHING'

But this afternoon Knowland announced he would vote for the bill next Tuesday, in the belief it is "better than nothing at all" and in the hope it can be "modified and strengthened" in conference.

Sen. Lyndon B. Johnson of Texas, Democratic leader, called the Senate measure "a meaningful and effective" right-to-vote bill.

"I am as proud of the Senate as a great deliberative body as I have ever been," he told his colleagues.

He said that the measure was brought up to its final stage despite predictions that the Senate couldn't legislate on this subject and that it would be in session all winter.

He said he hopes "an overwhelming majority" will join him and Knowland in voting for the bill next week.

'BILL IS CORPSE'—MORSE

Sen. Morse (D-Ore) disagreed sharply with the view of Johnson that Senate changes had improved the bill.

"I consider it a corpse," he said. "It's a mistake to wait over the weekend because its odor is going to be pretty bad on Monday. The corpse stinks. This is dead as far as the rights for colored persons are concerned."

During the day, the Senate shouted down two amendments which Southern senators had said were highly important to the bill.

Both were called up by Sen. Ervin (D-NC), but only a token fight was waged on each. Southerners did not even use the limited time available.

Two Amendments Fail

One of the amendments would have prevented the federal government from instituting an injunction suit in a voting rights case without the written consent of the person for whose benefit the suit was filed.

On this one, the Southerners asked for a standing vote after it lost on voice vote, but it still was beaten.

The other would have eliminated from the bill a section which Ervin said would permit the attorney general to by-pass all state ad-

ministrative procedures in bringing injunction suits.

Sen. Javits (R-NY), arguing against the amendment, said the effect of it would be to let state agencies concerned with rights frustrate all efforts to make them effective.

NOT EVEN OFFERED

The Southerners did not even offer one amendment which they previously had said would involve a big fight. This would have wiped out the subpoena power given the civil rights commission set up in the bill.

An amendment of Sen. Potter (R-Mich) also was beaten on voice vote. This would have exempted from the military draft all persons whom the attorney general found to have been deprived of their voting rights.

Looking ahead, it appears there may be some strenuous arguments when Senate and House conferees sit down to try to iron out differences on the legislation.

Keating, top Republican on the House Judiciary Committee, said the House conferees would have to stand firm, in view of the 251-158 House vote against guaranteeing a jury trial.

He said the relatively close Senate vote for jury trials—51-42—meant that the Senate conferees will be the ones who will have to yield.

HOPES FOR FINAL ACTION

Keating said he hoped that the 51 senators "have not ruined the chances for any bill, but I am afraid they have."

Knowland said he didn't believe the House would accept the changes made in the Senate, and said he believed the bill would wind up the year in a conference committee.

Knowland and Sen. Lyndon Johnson both said they thought the Senate could complete action on its greatly amended bill within a few days.

Johnson said he hoped for final action next Tuesday or Wednesday, and announced that the Senate would not meet tomorrow as had been scheduled.

COMMISSION RESTRICTED

One of the remaining sections of the bill would provide for a federal commission to investigate the whole field of civil rights and consider allegations of violations.

By voice vote today, the Senate adopted an amendment which

Prohibit the commission from using unpaid volunteer assistants from such organizations as the White Citizens Councils or the National Assn. for the Advancement of Colored People.

Require Senate confirmation of the President's nomination for director of the commission. This full-time job would pay \$22,500 a year.

Stipulate that the commission submit its reports to Congress as well as to the President.

NO DEBATE LIMITATION

After battling down a series of other amendments by voice vote, the Senate brought the bill to the stage of a final vote by having its third reading. This means no more amendments can be offered.

However, the vote on final passage will not come until next week. The amendments were considered this afternoon under a strict limitation of time, but there is no limitation of debate on final passage.

Eisenhower told his news conference Wednesday that he did not believe there should be any jury trial amendment, and "that is my last word on civil rights."

He apparently meant this was the last word he would have until the Senate had voted. A morning caller, Sen. Potter (R-Mich), reported Eisenhower "is damn unhappy" about losing the jury trial fight.

EISENHOWER STATEMENT

Then later, Hagerty released this statement for the President: "My first reaction to the vote in the Senate last night is to extend my sincere appreciation to Sen.

Knowland and to those senators who stood with him in valiant and persistent efforts to bring to all our citizens protection in their right to vote—a protection of which many are now deprived.

"Rarely in our entire legislative history have so many extraneous issues been introduced into the debate in order to confuse both legislators and the public.

"The result cannot fail to be bitterly disappointing to those many millions of Americans who realized that without the minimum protection that was projected in

Section 4 of the bill, as it passed the House of Representatives, Many fellow Americans will continue in effect to be disenfranchised.

Jailing a man for criminal contempt is intended to punish him for wilful disobedience of a court order when there is no longer time to comply.

switching from the Democrat label to the GOP label just out of being quite disgusted and fed up with the white supremacy element of the Democratic party.

HELD HISTORIC RIGHT

"Finally no American can fail to feel the utmost concern that an attempt should be made to interpose a jury trial between a federal judge and his legal orders. During our history as a nation great Americans have pointed out that such a procedure would weaken our whole judicial system and particularly the prestige of the federal judiciary. In this case it will also make largely ineffective the basic purpose of the bill—that of protecting promptly and effectively every American in his right to vote."

TRIAL BY JURY PROVIDED

Under the bill as amended, the attorney general could obtain federal court injunctions against violations, or threatened violations, of the right to vote.

In criminal contempt cases arising from charges of disobeying these injunctions, defendants would be entitled to trial by jury. In civil contempt cases, designed to force compliance with court orders but not to punish for violations, there would not be a jury trial. The judge alone would conduct the trial.

Here's an example of how these things might work:

Suppose a registrar of voters is accused of refusing to put Negroes on the voting lists. The attorney general could ask for a court injunction to force their listing.

The judge would hold a hearing. If he decided there was a legitimate reason for the registrar's refusal to list the Negroes he would issue no injunction. If he found no such reason, he could direct the registrar to list them.

COULD TRY REGISTRAR

If the registrar refused, and there was still time before the election to get the Negroes qualified as voters, the judge could try the registrar by himself and jail him for contempt—civil contempt. The registrar could get out of jail by agreeing to comply.

But if the registrar refused to comply until it was too late to get the Negroes registered, he could be brought up on a criminal contempt charge and would be accorded the privilege of a jury trial, rather than by judge alone.

The difference between civil and criminal contempt is this:

Jailing a man for civil contempt is intended only to make him comply with a court order.

Eisenhower and others of like mind favored no jury trial for those accused of violating civil rights injunctions. Southerners, and others won over to the Southern side of the argument, held that trial by jury was a historic right that shouldn't be taken from one man in order to guarantee another right to another man.

In New York, the National Association for the Advancement of Colored People said the jury trial amendment had greatly weakened the bill and shorn it of its "most effective features."

It said it was hoped, however, that a Senate-House conference would "restore some of its strength."

South's Victory To Hurt Democrats

The stripping of President Eisenhower's civil rights bill of its enforcement powers (section 3) has been hailed as a great victory for the South. The South is gleeful but, it has won another victory at the tragic expense of the Democratic Party.

Although the South won the battle in the Senate where integrity, honesty and sincerity is not what it used to be, the whole country, with its widely espoused belief in democratic principles, suffered in the eyes of the world.

Southern politicians generally are an amusing breed. For instance, they holler to high heaven if the U. S. Government talks about protecting the rights of Negroes as citizens but at the same time Southern Governors and Legislators pass and okay all sorts of repressive and oppressive legislation to take what little freedom Negroes do have. They would like to deny the Negro the opportunity to fight for his rights.

Negroes who were once (during the Roosevelt era) solid Democrats are certain now to head back to the GOP fold. Southern Democrats just can't be trusted when it comes to human relations and civil rights. Future elections will find more Negroes

Democrats but the GOPs. The Democratic party is now nothing but a tool to be manipulated by white supremacy for the southerners who put their interests before the honor and integrity of our democratic form of government. They must have their way or destroy what good there is in the Democratic party. Even though they are winning on the floor of the Senate, they are losing in the hearts of the American people because of their rank, moral corruption in denying the Negro citizen equal rights with other American citizens that have been sanctioned by the highest judicial body in the world, the U. S. Supreme Court. The Democrats in the South can never rise so long as they try to keep the Negro down.

America can't win the ideological war against communism as long as Negroes are denied full citizenship and are not treated like human beings. White supremacy southerners are too ignorant to realize this; the only thing in the world worth saving to them is the South's racial hatreds and outdated customs.

Eisenhower on Civil-Rights Bill

WASHINGTON, July 17 (AP).—The transcript of President Eisenhower's news conference replies on civil rights follows:

MERRIMAN SMITH, of The United Press—Mr. President, since you have had an opportunity to discuss your civil rights program with Attorney General Brownell, are you aware that under laws dating back to the reconstruction era, that you now have the authority to use military force to put through the school integration in the South, and are you aware, too, sir, that part three of your current bill carries this forward from the Reconstruction era?

A.—Well, first of all, lawyers have differed about some of these authorities of which you speak, but I have been informed by various lawyers that that power does exist. But I want to say this:

I can't imagine any set of circumstances that would ever induce me to send federal troops into a federal court and into any area to enforce the orders of a Federal Court, because I believe that common sense of America will never require it.

Now, there may be that kind of authority resting somewhere, but certainly I am not seeking any additional authority of that kind, and I would never believe that it would be a wise thing to do in this country.

Recalls Statement On Objectives

LOUIS R. LAUTIER, of the National Negro Press — Mr. President, I wonder if you would give us the benefit of your thinking on enforcement of the Fourteenth, as well as the Fifteenth Amendment, with respect to civil rights.

A.—Well, you are asking me to become something of a lawyer in a very short order here, but I will.

As for the moment, I have announced time and again the objectives I am seeking in civil rights, and the means that I want from the legislature in order that everyone will know where they stand, and it can proceed in an orderly manner.

I issued a little statement last evening, republishing what the objectives are. Now, the matter is now, as you know, under debate in the Senate, and I think

that for the moment the best thing to do is for most of us to let them do the debating, and we will see what comes out. I am very hopeful that a reasonable, acceptable bill will come out. **WILLIAM S. WHITE**, of "The New York Times" — A little bit further on civil rights, please sir, specifically there is a bipartisan amendment in the Senate put in last night by Sens. Aiken and Anderson which would take out of the bill all injunctive power except to deal directly with the right to vote, and I would like to ask you, sir, if you would comment on how you would look at a bill if it ultimately came out with only the voting right protected by injunction.

A.—Well, I think the voting right is something that should be emphasized, certainly I have emphasized it from the beginning. If in every locality every person otherwise qualified, or qualified under the laws of the state to vote, is permitted to vote, he has got a means of taking care of himself and his group, his class. He has got a means of getting what he wants in democratic government, and that is the one on which I place the greatest emphasis.

Now I am not going to discuss these amendments in detail as they come up because it would be endless. I do say that I follow the debates in the Senate with the greatest of interest, and we will see what comes out. And then I hope it will be—and, as I say, I believe it will be—a satisfactory bill.

FRANK VAN DER LINDEN, of "The Nashville Banner"—Mr. President, sir, the Southern Congressmen who voted against your civil rights bill sent you a letter Monday in effect asking you to accept some amendments toning it down, and you issued a statement yesterday which stood by all four points of it. I wondered if that statement was in effect a rejection of that request or—

A.—Not at all. As a matter of fact, I haven't had a chance yet to read the letter thoroughly. It has just come to my desk, and it is apparently a personal letter couched in very reasonable and proper language, and I expect this afternoon sometime to get to read it in detail.

Now I hadn't gotten far enough to see that they recom-

ended the theory that there were possibilities under the language, particularly of Section 3, I believe it is, as now written, that could open up great dangers, and they hoped that that would be closed.

Questioned On Integration

ROWLAND EVANS JR., of the New York Herald Tribune—Following Mr. White's question earlier, sir, are you convinced that it would be a wise extension of Federal power at this stage to permit the Attorney General to bring suits on his own motion, to enforce school integration in the South?

A.—Well, no; I have—As a matter of fact, as you state it that way, on his own motion, without any request from local authorities, I suppose is what you are talking about—

Q.—Yes, sir. I think that that is what the bill would do, Part III.

A.—Well, In that we will see what they agree on. As a matter of fact, my own purposes are reflected again in the little memorandum I published last evening, and I am not trying to go further than that.

I personally believe if you try to go too far too fast in laws in this delicate field, that has involved the emotions of so many millions of Americans, you are making a mistake.

I believe we have got to have laws that go along with education and understanding, and I believe you go beyond that at any one time, you cause trouble rather than benefit.

FINAL SENATE VOTE ON RIGHTS MEASURE SET FOR WEDNESDAY

Two Possible Obstacles Are Still In Way That Could Kill Bill

VETO OR A FILIBUSTER

PRESIDENT EISENHOWER

President Is Unhappy With Amendment On Jury Trial — New Revisions Are Made — Dixie OK Is Seen

(Picture on Page 28)

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, Aug. 2. — The Senate finished amending the Administration's Civil Rights Bill Friday — approving two more revisions — and set the stage for a vote on final passage next Wednesday unless Dixie senators decide to filibuster.

President Eisenhower meanwhile attacked the jury trial amendment that was written into the bill by a 51-to-42 vote shortly after midnight Wednesday.

Would Write New Law

Hinting at a veto of the finished bill, the President said the amendment would make the bill's right-to-vote section "large-doubt if it will on other states at ly ineffective" and would weaken our whole judicial system."

Adopted with the support of 12 Republicans and 39 Democrats, the amendment would write a new general law requiring jury trials in all Federal criminal contempt of court cases.

The President's criticism was echoed by other proponents of the original bill but Southerners discounted the possibility the House and the President will kill the bill rather than accept the Senate amendments.

Representative William M. Colmer (D., Miss.), a leader of the Dixie bloc in the House, reiterated his opposition to the measure—even with the Senate's crippling amendments — but predicted:

"I think the proponents of the bill in the House, both Democrats and Republicans, will accept the Senate bill when it is returned here for our consideration."

Charge Propaganda

The Mississippian, as well as other Southerners, branded the Republican threats of opposition to the crippled bill as propaganda aimed at Northern Negro voters.

Dixie senators will meet Saturday morning with Senator Richard B. Russell (D., Ga.), their leader, to determine whether they will filibuster the amended Senate bill when it

comes up next week for final passage.

If the Senate passes the bill, it then will go to the House. If the House accepts it, it will go to the President.

However, if the House rejects the Senate bill, a Senate-House conference committee then will have to be appointed to reconcile the differences between the House-passed and Senate-passed versions.

Whatever compromise bill the conferees came up with would have to be approved by both Houses before it could go to the President. In this situation Dixie senators would retain their full power to filibuster any compromises proposed by the conference committee.

Won't Be Recommended

Senator Russell indicated to newsmen that he will not recommend a filibuster against final Senate passage.

"I don't think this bill, in its vastly amended form, will have a violent impact on my own state of Georgia," he said, "and I doubt if it will on other states at this time."

He added, however, that the Senate passage of the bill "will be a victory for the South."

Senator James O. Eastland (D., Miss.) reiterated his opposition to the bill, even in its amended form, and called upon his Southern colleagues to continue the fight.

"I am strongly opposed to this bill," the Mississippian said, "and I will continue to fight it. We Southerners must present a united front."

Senator Eastland presumably will take this position at the Saturday morning meeting. There were indications, however, that other Southerners will be less determined.

Senator Albert Gore (D., Tenn.) announced he will vote for the amended measure when it comes up on final passage.

"Every qualified citizen has a constitutional right to vote," the Tennessean said, "and I believe every qualified citizen is entitled to protection of that right by the law."

"As the bill now stands I believe its enactment would be helpful in the long run to the South and to the nation. I expect to vote for its passage and I expect some of my Southern colleagues to join me."

Others Favorable

While they could not be reached for comment, it was indicated that Senators Estes Kefauver (D., Tenn.), Lyndon B. Johnson (D., Texas), Ralph Yarborough (D., Texas) and possibly George Smathers (D., Fla.) may also abandon the fight and vote for the amended bill.

This would leave a potential of only 17 Southern senators left to carry on the fight. It was this prospect that increased the likelihood the fight will be dropped and the bill passed by the Senate. The Senate completed amending action on the measure Friday through a unanimous consent agreement which Southerners joined because of a threat that a revised version of integration-enforcing Title III, previously knocked out, might be offered as an amendment.

The agreement called for action only on those amendments which already had been submitted to the Senate clerk. Since the revised Title III was not among them, the Southerners did not object.

By the terms of the agreement, no more amendments may be offered or considered. The only remaining Senate action is a vote on final passage.

Senator Johnson, the majority leader, announced this question would be taken up Tuesday with the expectation of a vote by Wednesday.

"We agreed to dispose of all amendments," Senator Eastland explained, "because the CIO, the ADA and the NAACP were making a drive for a new amendment to force school integration. The unanimous consent maneuver blocked it."

Amendments Adopted

Of the 10 amendments considered, two were adopted—both by voice vote.

The first was an Administration amendment by Senator William F. Knowland (R., Calif.), the Senate Republican leader, and applied to the six-member Federal Civil Rights Commission which the bill would create to investigate racial, religious and nationality grievances.

It would prohibit the commission from accepting the services of "voluntary or uncompensated personnel," such as volunteers from the NAACP, ADA or other pressure groups.

It also would require that any state committees established by the commission to aid its investigation would have to be composed of citizens of the particular state.

And it also would require the

commission's staff director, as well as its six members, to be nominated by the President and confirmed by the Senate.

Thus, the Senate will have veto power over the commission as well as its staff director.

Subpena Power Left

The commission's power to subpoena witnesses and to examine them in public hearings was left intact.

However, the second amendment adopted—sponsored by Senator Olin D. Johnston (D., S. C.)—deprived commission personnel of any \$12-a-day subsistence allowance except when they are away from home.

The life of the commission would extend two years from the date the Civil Rights Bill is signed by the President.

Other provisions of the bill would create a Civil Rights Division in the Justice Department, and authorize the attorney general to seek Federal court injunctions to protect the right to vote.

However, the jury trial amendment would provide that when violations of the injunctions resulted in criminal contempt charges the defendants would be entitled to a trial by jury. Civil contempts arising from the process would be tried before judges in the traditional manner.

Spurned by the Senate in a lackadaisical session that occasionally saw even Southern members absent from the floor were a variety of amendments which would have both weakened and strengthened the bill. Only one got a roll call vote.

One Shouted Down

Shouted down on a voice vote with only three or four scattered "ayes," was a proposal by Senator Pat McNamara (D., Mich.) to reduce the House representation of states that deny Negroes the right to vote.

Other pending amendments were disposed of in like fashion, and some were not even called up.

The relaxed nature of the Friday session, in contrast to the tense battle the night before on the jury trial amendment, suggested a tacit understanding between the opposing leadership.

In the continuing political struggle for the Northern Negro vote, Dixie strategists pointed out that Republicans have a choice of:

1. Killing the bill in Congress or by presidential veto and charging that Democrat senators had so weakened it as to make it meaningless.

2. Working for a conference committee and a compromise

bill that would restore the integration-enforcing features with the probability that a Dixie Senate filibuster then would kill the whole bill—a development that could be blamed on the Democrats. In this or the first alternative, a new bill would be offered next year, an election year.

3. Accepting the Senate-amended bill and extolling the fact that it would be the first civil rights bill passed since Reconstruction.

Southerners in Congress indicated they are betting heavily on the latter possibility. And, confirming this to some degree, a report spread through the Capitol late Friday that Congress will adjourn Aug. 20.

Adjournment that quickly would allow little time for any prolonged hassle between the House and Senate on the bill, since the Senate will have about two weeks of work before it after it disposes of the civil rights measure.

Conflicting Predictions

Nevertheless, Representatives Emanuel Celler (D., N. Y.) and Kenneth B. Keating (R., N. Y.), who would be House conferees if a conference committee is appointed, issued statements insisting the bill will go to conference and that the House will stand firm against the Senate amendments.

Senator Knowland, who said Thursday night that adoption of the jury trial amendment would kill the bill, joined in the new line by predicting the bill will go to conference and that its integration-enforcing features will be restored.

House Speaker Sam Rayburn (D., Texas) and House Majority Leader John W. McCormack (D., Mass.), dominant figures in the House, declined comment. Senator Paul H. Douglas (D., Ill.), the Senate's most determined civil rightists, assailed the amended bill as "a great victory for Senator Russell and Senator Eastland."

He bitterly added that the outcome of the Senate battle demonstrates the need for modifying the Senate rules "so that it will not be possible for an entrenched minority to dominate the Senate."

Matter Of Fact

By Joseph And Stewart Alsop

WASHINGTON. IN the face of this danger, Johnson did what he always does—he sought the common denominator of mutual interest, between the various factions of his party. He found it in weak (or, if you prefer, "moderate") civil rights legislation. The Southerners want a weak bill for obvious reasons. But the Northern Democrats also want desperately to be able to charge that the Eisenhower administration has "sold the minorities down the river," as a result of the President's failure to fight hard for his bill. In fact, when the President equivocated on section three, Northern Democrats like Neuberger of Oregon, and Douglas of Illinois, instantly and happily seized on this battle cry.

As strongly pro-Eisenhower *Time* magazine has reported, the President's standing with Congress is at a new low. The Administration's amazing backing and filling on the defense budget has alienated those who supported the President in the budget fight. What *The Washington Post* called the President's "vacillation and inertia" on his own school aid bill is credited with the defeat of the bill in the House. By the same token, his equivocal position on section three of the civil rights bill certainly helped to kill that part of the bill.

In these circumstances, as *Time* reported, the feeling is growing in Congress that the President "need no longer be feared, can often be ignored, occasionally flouted." That is one reason why some of those around the President—reportedly including Vice President Nixon, who feels deeply that the civil rights fight must be won—believe that the President should intervene firmly and even dramatically in the battle.

IT HAS been proposed to the President, for example, that he should write a letter to Minority Leader William Knowland, outlining in the strongest terms his reasons for opposing a jury trial amendment to the civil rights bill. Knowland could then read the letter on the Senate floor, attracting maximum national attention and stamping the President's position firmly as the Republican Party position.

Rough drafts of such a letter have even been made. But it now appears unlikely that the President will adopt this course. Knowland himself reportedly feels that it would smack too much of White House "dictation" to Congress. Even so, a strong and open stand by the President in the fight over the jury trial amendment is still not to be ruled out, if only because of the political realities of the situation.

For the President's apparent reluctance to fight hard for his civil rights bill has fitted perfectly into the brilliant strategy of Majority Leader Lyndon Johnson. It was clear to Johnson from the start that the Republican administration's decision to press for serious civil rights legislation represented a

desperate danger to his party. It threatened to split the party irremediably. And it threatened the very political existence of Northern Democrats heavily dependent on the Negro vote.

As a result, the danger to the Democrats inherent in Republican advocacy of civil rights legislation is already far less than it was. If the jury trial amendment passes, while the President stands aloof, the immense political advantage which ought to have been gained by the Republicans, as a result of passing the first civil rights legislation since Reconstruction days, will largely evaporate.

But if the President intervenes openly and strongly, making the jury trial fight a party line issue, the Republicans will score a decisive political gain, even if the fight is lost.

Such, at least, is the reasoning of those who favor firm and immediate personal intervention by the President in the civil rights struggle. It is hard to see a flaw in their reasoning. But the odds are probably against the President injecting himself forcefully into the fight all the same. For he is a man with an instinct for remaining above the battle, and a tendency, unfortunate in a politician, to see both sides of every question.

Such, at least, is the reasoning of those who favor firm and immediate personal intervention by the President in the civil rights struggle. It is hard to see a flaw in their reasoning. But the odds are probably against the President injecting himself forcefully into the fight all the same. For he is a man with an instinct for remaining above the battle, and a tendency, unfortunate in a politician, to see both sides of every question.

Eisenhower
Stock Off
With Congress

Eisenhower Rejects Idea Of Troops In Integration

WASHINGTON, July 17 (AP) — President Eisenhower today rejected any idea of ever using federal troops to enforce school integration.

"I can't imagine any set of circumstances that would ever induce me to send federal troops into any area to enforce the orders of a federal court," he said, "because I believe that common sense of America will never require it."

Southerners fighting the administration's civil rights bill in the Senate have objected it could mean the use of troops, as in Reconstruction days.

Possible Compromise.

Eisenhower, at his news conference, opened the way for a possible compromise on the bill. A reporter asked whether he believed the attorney general should be empowered to initiate injunction suits to enforce school integration.

The President replied "no"—not without a request from "local authorities."

The present bill would permit the attorney general, on his own motion, to ask federal courts to issue injunctions to prevent violations or threatened violations of a wide range of civil rights.

Southerners have protested that under this provision persons violating injunctions dealing with school desegregation could be jailed for contempt without jury trials.

In response to other questions Eisenhower talked warmly of his World War II comrade-in-arms, Soviet Defense Minister Georgi Zhukov, and gave his blessing to the idea of a U. S. visit by Zhukov, or a meeting between the Red marshal and his American counterpart, Secretary of Defense Wilson.

Kremlin Upheaval.

Last month's Kremlin upheaval—which brought Zhukov to a top position of leadership—was described by Eisenhower as "the result of some fundamental pressures" inside Russia. The President said the losers

were "the traditionalists. . . the hard core of the old Bolshevik doctrine." The winners, led by Soviet party boss Nikita Khrushchev, "are trying to be flexible to meet the demands, the aspirations, requirements of their people," he said.

Eisenhower, wearing a tan suit and tan tie, was three minutes late for his 10:30 a.m. date with the 221 reporters. The first question he was asked concerned his civil rights bill now before the Senate.

The questioner wanted to know: Was Eisenhower aware that Reconstruction era law authorizes him to use military force to integrate Southern schools, and 2. was he aware Part 3 of his bill "carries this forward?"

The President said he was told by lawyers he had such power. After saying he could not imagine ever having to use it he declared: "Certainly I am not seeking any additional authority of that kind, and I would never believe that it would be a wise thing to do in this country."

As for specific amendments to the civil rights bill, the President said he would not detail his views now—"we will see what the Senate brings out."

But he did say this: "I personally believe if you try to go too far too fast in laws in this delicate field, that has involved the emotions of so many millions of Americans, you are making a mistake."

Zhukov's name kept cropping up in the 31-minute news conference. Each time Eisenhower spoke well of him. But the President made it clear he is extremely wary of the military might Zhukov commands.

For example, he defined as "exactly logical" the U.S. idea under study to make available an atomic weapons stockpile to the

North Atlantic Treaty nations. A reporter questioned the logic of this in view of U.S. efforts to achieve a first-step disarmament agreement which would keep the secret of how to make A-bombs from spreading beyond the cur-

rent select circle: The United States, Britain and Russia.

"Sure it was logical, Eisenhower said. Nations girding against atomic attack ought to have atomic weapons with which to fight back. He said "there is no specific program" at this time and U.S. atomic laws need studying but the main thing is "making NATO effective as a defensive organization."

Asked about Soviet shipments of arms to Egypt and Syria, Eisenhower commented that this "cannot possibly contribute to peace and the lessening of tension."

Senate's Roll-Call Vote To Take Up Rights Bill

WASHINGTON, July 16 (AP)—Following is the roll-call vote by which the Senate adopted today, 71 to 18, a motion by Senator William F. Knowland, Republican of California, to take up the Administration's civil rights bill:

FOR THE MOTION—71 Democrats—29

Anderson (N.M.) Kerr (Okla.)
Bibb (Nev.) Lausche (Ohio)
Carroll (Colo.) Magnuson (Wash.)
Chavez (N.M.) Mansfield (Mont.)
Church (Idaho) McNamara (Mich.)
Douglas (Ill.) Monroney (Okla.)
Frear (Del.) Morse (Ore.)
Gore (Tenn.) Murray (Mont.)
Green (R.I.) Neely (W. Va.)
Hayden (Ariz.) Neuberger (Ore.)
Humphrey (Minn.) O'Mahoney (Wyo.)
Jackson (Wash.) Pastore (R.I.)
Johnson (Tex.) Symington (Mo.)
Kefauver (Tenn.) Yarborough (Tex.)
Kennedy (Mass.)

Republicans—42

Aiken (Vt.) Ives (N.Y.)
Allott (Colo.) Javits (N.Y.)
Barrett (Wyo.) Jenner (Ind.)
Beall (Md.) Knowland (Calif.)
Bennett (Utah) Kuchel (Calif.)
Bricker (Ohio) Langer (N.D.)
Bush (Conn.) Malone (Nev.)
Butler (Md.) Martin (Iowa)
Capehart (Ind.) Martin (Pa.)
Carlson (Kan.) Morton (Ky.)
Case (N.J.) Mundt (S.D.)
Case (S.D.) Potter (Mich.)
Cooper (Ky.) Purtell (Conn.)
Cotton (N.H.) Revercomb (W. Va.)
Curtis (Neb.) Saltonstall (Mass.)
Dirksen (Ill.) Smith (Me.)
Dworshak (Idaho) Smith (N.J.)
Flanders (Vt.) Thye (Minn.)
Goldwater (Ariz.) Watkins (Utah)
Hickenlooper (Iowa) Wiley (Wis.)
Hruska (Neb.) Williams (Del.)

AGAINST THE MOTION—18 Democrats—18

Byrd (Va.) McClellan (Ark.)
Eastland (Miss.) Robertson (Va.)
Ellender (La.) Russell (Ga.)
Ervin (N.C.) Scott (N.C.)
Fulbright (Ark.) Smathers (Fla.)
Hill (Ala.) Sparkman (Ala.)
Holland (Fla.) Stennis (Miss.)
Johnston (S.C.) Talmadge (Ga.)
Long (La.) Thurmond (S.C.)

Not voting or paired but announced as in favor of the motion: Clark, Democrat of Pennsylvania; Hennings, Democrat of Missouri; Payne, Republican of Maine; and Schoepfel, Republican of Kansas.

Ike Keeping Hands Off Rights Bill

Knowland Says He Doesn't Expect President To Take Public Stand

WASHINGTON (AP) — President Eisenhower today was reported adopting a hands-off policy toward possible Senate changes in the administration's civil rights bill.

Sen. Knowland (R-Calif.) said he does not expect the President to take any public stand.

"President Eisenhower has never insisted on acceptance of the House bill as it is," Knowland said in an interview. "He does not regard that as his prerogative. It is a matter for the Senate to decide."

VOTE TODAY

The Senate will vote later in the day on Knowland's motion to bring the House-passed bill officially before it.

Knowland, commanding a coalition of Republicans and Northern Democrats who expect to pass a civil rights bill, said he recognizes the House measure may need some "clarifying" amendments.

Sen. Russell (D-Ga.) has raised the specter of "bayonet rule" enforcement of all civil rights under one provision of the bill. Knowland said this provision may need "clarify."

"It was never intended or implied that federal troops would be used to enforce civil rights under this bill," he said.

Russell has picked up support from Senators Anderson (D-NM), Mundt (R-SD), and others for

"Far from helping the colored man, it will hinder his progress," he said. "Far from reducing prejudice, misunderstandings and resentment, it will increase these passions."

He said very little will be accomplished toward insuring Negro voting rights by the bill "if the majority of the white people of the South are determined to frustrate its terms and conditions."

He said he hopes Congress won't "force people of the South to join one of two hostile groups — one composed entirely of whites and another composed almost entirely of Negroes."

"The South is not a jungle in which the colored races are hunted down by their white fellow citizens," he said. "It is not a place in which the colored races have been driven deeper and deeper into poverty and degradation."

Sen. Humphrey (D-Minn.) said the major issue involved in the legislation is the "free and unfettered right to vote."

He said those who were alarmed because the bill does not provide for jury trials in civil cases aimed at enforcing civil rights were indicating that somebody's right to vote was going to be violated and the violator hauled into court for contempt.

"The best way to eliminate contempt is to make certain that we are not contemptuous," he said.

limiting application of the measure to cases involving voting rights.

Knowland declined to be tied down to any such narrowed application of the measure, despite primary objective in asking Congress to act was to protect voting rights.

Russell said there will be no filibustering while the amending process is under way.

"We are going to stick to our knitting on these amendments," he said. "The speeches by our group will be to the point and not unnecessarily long."

While some Southerners took the view that they might be better off to let a watered down version of the bill pass without a filibuster, some were holding out for lastditch efforts to prevent a final vote on any measure.

Among the latter, Sen. Ellender (D-La.) said he will fight against passage of any bill, no matter how it is amended.

Sen. Long (D-La.) told the Senate yesterday that passage of a "bad" civil rights bill would be likely to retard the progress of the Negro in the South.

SEES HINDRANCE

Watch On The Potomac

Sen. Ervin Annoys President

By ROBERT G. SPIVACK

WASHINGTON, From inside the White House comes word

that President Eisenhower is



SPIVACK

now firmly opposed to all talk of "compromise"—at least for now—on the civil rights bills. According to the Capitol grapevine he is annoyed with the personal attacks made by several Southern lawmakers who insinuate that Mr. Eisenhower is none-too-bright, that Attorney General Brownell is leading him around by the nose as he has sold him a bill of goods. One of these attacks was made by Sen. Sam J. Ervin, Jr. (D. N. C.) and the President reportedly did not like it one bit.

"I HAVE repeatedly asserted during recent weeks that President Eisenhower would not favor the Civil Rights bill if he understood its provisions and implications," Ervin said the other day.

"Minor" Concession

The Administration, according to the best informed sources, is prepared to make one "minor concession to the South. It will seek to "clarify" language in the House-passed Celler bill. The clarification will aim to allay Dixie fears that federal troops will come marching down South to enforce the right-to-vote law and also the Supreme Court school integration decision.

SOME SOUTHERN Senators have worked themselves into a frenzy on this issue. But, as Sen. Dirksen (R. Ill.) pointed out, the President already has not shown the slightest inclination to do so during recent racial violence.

Ervin suggested that Dirksen put in an amendment restricting troops "to the use of bayo-

nets and (that they) not be allowed to use nuclear weapons."

"Whipping Boy"

Next to the words "Supreme Court" there is nothing that infuriates the Dixie Democrats these days like the name Herbert Brownell. They blame him for all their woes. They insist that for the first time there is a chance that even a filibuster won't prevent passage of a civil rights bill.

AND THEY are right, at least in believing that the bill is Brownell's baby. There are

lots of other Republicans who are taking bows for it, but the fact is that it was Brownell who persuaded the President, Vice President Nixon and Senate Republican Leader Knowland that this should be "civil rights year."

The liberal Democrats didn't need any persuading. Sens. Paul Douglas, Hubert Humphrey and House Judiciary Committee Chairman Emanuel Celler have been fighting this battle for years. But they couldn't get anywhere until Brownell became convinced that the Republicans ought to line up solidly behind it.

Up In Arms

The Southerners claim their real argument with Brownell is not over the "right-to-vote" but with the ambiguous language in the bill which would give the Attorney General authority to intervene in school integration cases. He was questioned closely about this in hearings of the House Judiciary Committee.

He was asked how he would act if a Negro said he was entitled to attend an integrated school but was being denied that right by the authorities. "Would you initiate an injunction against the school board?" a questioner wanted to know.

HIS REPLY did not reassure the Dixie Democrats.

"I don't want to mislead

you," Brownell answered. "I am not trying to avoid answering your question. I have found in my own experience that it is very unwise to give answers to a hypothetical case of that kind because there are always special circumstances."

This is the answer that has the Southern lawmakers up in arms.

The President's Statement

WASHINGTON, July 16 (AP)—

Following is the text of the statement issued by President Eisenhower today after the Senate had voted to take up formally the Administration's civil rights bill: 7-17-57

I am gratified that the Senate, by a vote of 71 to 18, has now made H. R. 6127 the pending business before that body.

1. To protect the constitutional right of all citizens to vote regardless of race or color. In this connection we seek to uphold the traditional authority of the Federal courts to enforce their orders. This means that a jury trial should not be interposed in contempt-of-court cases growing out of violations of such orders.

2. To provide a reasonable program of assistance in efforts to protect other constitutional rights of our citizens.

3. To establish a bipartisan Presidential commission to study and recommend any further appropriate steps to protect these constitutional rights.

4. To authorize an additional Assistant Attorney General to administer the legal responsibilities of the Federal Government involving civil rights.

The details of the language changes are a legislative matter. I would hope, however, that the Senate, in whatever clarification it may determine to make, will keep the measure an effective piece of legislation to carry out these four objectives—each one of which is consistent with simple justice and equality afforded to every citizen under the Constitution of the United States.

I hope that Senate action on this measure will be accomplished at this session without undue delay.

The Bill Is Still Rotten

President Eisenhower says he will not use troops to enforce whatever may be passed in the form of a civil rights bill at this session.

Nevertheless, it will be possible to use troops for enforcement of the vicious measure.

Dwight Eisenhower will not be President forever. His term of office ends three years hence.

No assurance can be given that whoever succeeds Eisenhower will not obey the insolent demands of the NAACP, the ADA, the AFL-CIO, and similar organizations.

Even with Eisenhower's mollifying statement, there can be no assurance that Attor-

ney - General Brownell, acting on his own, would not use the measure for the enforcement of integration in public schools.

The civil rights bill is bad. There is not a redeeming clause. It is rotten to the core and must be fought to the bitter finish.

Southern Senators should not be seduced or mollified by watering-down amendments.

isolation would not comment publicly, it was evident they would not object too strenuously to such a change.

Senator Estes Kefauver (D., Tenn.) said Sunday he would vote for the Civil Rights Bill even if it came out of a Senate-House conference committee without the jury trial amendment.

However, Senator Kefauver,

Veto Reported Ready For Weak Rights Bill Approved By Senate

'IKE' HAS 'DANDER UP'

President Hopes Measure Will Be Rejected By House

By DAYTON MOORE
United Press Staff Writer

WASHINGTON, Aug. 4.—President Eisenhower would veto the Senate's Civil Rights Bill if it reached his desk in its present form, high Administration sources said Sunday.

These sources said there was "no doubt" the President would reject any measure which included the Senate-approved amendment guaranteeing jury trials in criminal contempt cases. They said Mr. Eisenhower "really got his dander up."

They said the Justice Department and other high Administration advisers regard the Senate's watered-down version of the President's bill as "woefully inadequate" and unacceptable.

Senate To Vote

The Senate will vote in the next few days on a bill authorizing the attorney general to seek civil injunctions to enforce minority voting rights.

In the completed form in which it awaits a final Senate vote, the measure requires jury trials

in all criminal contempt cases involving not only voting disputes but a wide variety of other Government prosecutions as believed President Eisenhower, well.

Mr. Eisenhower has thrown his Administration's weight behind an effort to get the House to reject the Senate's version of the bill and send it to a Senate-House conference. The House previously passed a measure from which the Senate stripped a provision for Federal enforcement of civil rights in general, and into which it inserted the jury trial provision.

Has 'No Choice'

If the House should accept the version now before the Senate, a top Administration official said Mr. Eisenhower would be "left with no choice but to veto it."

This leader suggested the President would contend in such a veto that the jury trial provision would "create chaos and utter confusion" in the operation of almost every Government regulatory commission.

Although the official made no commitments, it was evident that if the jury trial provision could be narrowed to apply only to voting rights cases, Mr. Eisenhower would be likely to accept the measure as representing a small step forward in the field of civil rights.

While Southerners opposing enactment of any civil rights leg-

House Rules Committee Clears Civil Rights Bill

By FRANK CORMIER

WASHINGTON, May 21 (AP) —

Northerners of both parties pried President Eisenhower's civil rights bill out of the House Rules Committee today. An 8-4 committee vote cleared the measure for House debate, likely to begin the first week of June.

The Rules group allotted four days for general debate on the bill, which had been blocked in committee for weeks by a strategy of delay by Southern opponents.

House members will be given a free hand to offer amendments, however, and Southerners are certain to propose changes which would cripple or eliminate key provisions.

Rep. McCormack of Massachusetts, the House Democratic leader, and others have predicted the bill will pass the House by a comfortable margin, as did a similar measure which died in the Senate last year.

Senate Obstacle

The Senate once again presents the big—perhaps insurmountable obstacle to backers of the bill. A Southern filibuster there is a virtual certainty which has prompted even some optimistic supporters of the measure to predict it won't clear the Senate this year.

There have been indications the Senate Judiciary Committee will keep the bill bottled up in that branch until the House acts. Sen. Eastland (D-Miss), an outspoken foe of the bill, heads the judiciary group.

If the bill clears the House but not the Senate, the Senate could take it up again next year without the necessity of further House action. This would be possible because the life of the 85th Congress extends through next year.

Rules Committee Makeup
Today's Rules Committee vote, taken at a closed session, reportedly was strictly along North-South lines. This was the reported lineup:
For clearing the bill — Reps. Madden (D-Ind), Delaney (D-N. J.), Bolling (D-Mo), O'Neill (D-Mass), Allen (R-Ill), Brown (R-Ohio), La-

tham (R-NY) and Scott (R-Pa).

Against — Reps. Smith (D-Va), Colmer (D-Miss), Trimble (D-Ark) and Thornberry (D-Tex).

Southern House members are sure to press for an amendment that would guarantee a jury trial for persons accused of violating civil rights injunctions issued by federal courts. Contempt cases of this nature are usually heard by a federal judge.

Provisions of Bill

The injunctions envisioned in the bill would stem from a grant of authority to the attorney general to go directly into federal courts with cases involving alleged violations of voting and other rights.

This authority, one of the bill's major provisions, also is expected to be the target of a Southern amendment.

Another likely amendment, which has gotten more attention in the Senate, would attach to the bill a "right to work" provision prohibiting union shop contracts.

Other provisions of the bill would set up a civil rights division in the Justice Department and create a special commission to investigate civil rights problems.

Trial by Jury Opposed

The House is not expected to begin debating the measure before June 3.

The American Civil Liberties Union today declared it opposes any attempt to require jury trials in contempt cases arising from injunctions involving voting rights. A resolution unanimously adopted by its board of directors said:

"While there is always need to guard vigilantly against the misuse of government power... there is also need to prevent weakening the power of our courts to uphold the law of the land. The right of equal treatment under law is fatally undermined when community sentiment blocks the enforcement of law."

Creeping Civil Rights

The civil rights bill—correctly described by President Eisenhower as "a very moderate thing"—is inching along in both houses of Congress, but its prospects are not too good.

While its clearance on the House Rules Committee by an 8-to-4 vote is encouraging, and its passage by the House toward mid-June probable, the bill has been having rough going on the other side of the Capitol, and the prospects are that it will get a good deal rougher. In the Senate Judiciary committee the measure has survived one amendment that would have practically destroyed it; but it faces even more formidable amendments in the days to come—and there is no assurance that it ever will be reported out of a committee that is headed by Senator Eastland, who is in turn backed by such formidable adversaries of this program as Senators McClellan and Ervin.

Each of these two gentlemen has thought up a proposal that in its own way would wreck the bill, one by attaching to it a "right-to-work" amendment that would kill its chances of passage and the other by adding a "jury-trial" amendment that would undermine its effectiveness. So the prospects in the Senate are, to put it mildly, gloomy; and they are not helped by the fact that the majority leader, Mr. Johnson of Texas, is also against it. But the bill is a reasonable one and a mild one; and if it should pass the House again next month (as a similar one did last year) that would be something. A subsequent Senate filibuster would only show up the opposition once more for what it is: destructive, die-hard and—ultimately—doomed to defeat.

The Administration has asked for a commission to study civil rights, establishment of a civil rights division in the Justice Department, authority for the Attorney General to initiate injunction suits to prevent deprivation of civil rights, and legislation specifically to prevent interference with the right to vote in national elections. This is a mild bill, but the President will have to work for it harder in the future than he has in the past if he hopes to see it get through this Congress.

CIVIL RIGHTS TO GO TO FLOOR OF HOUSE

Eisenhower Plan Cleared by the Rules Committee—

Southerners Lose, 8-4

Wed. 5-22-57

By C. P. TRUSSELL

WASHINGTON, May 21—The Rules Committee of the House of Representatives cleared President Eisenhower's civil-rights program today for floor action.

The vote was 8 to 4, divided between the North and South, with the Southerners losing. They expected this, and made no effort to continue their long fight to prevent a House decision on the program.

Representative Howard W. Smith, the Virginia Democrat, is chairman of the committee, which screens bills for House consideration. He could have employed further delay tactics, but did not. The rights legislation can go to the floor any time after tomorrow.

Representative John W. McCormack of Massachusetts, the House majority leader, predicted, however, that the civil rights fight would not start until the week of June 3; that is, week after next.

He also predicted that disposal of the legislation, which is expected to pass the House, would require about a week.

This is unusual in the House, which controls its debates sharply, in contrast to the Senate's use of unlimited discussion. After the four days of general debate in the House the bill will be read, section by section, for amendments.

The Rules Committee recommended that there be no limitation on proposed amendments so long as they be germane to the program.

It was certain that many amendments would be offered from the South in an effort to tone down if not weaken the program drastically. Only five minutes of debate are permitted as amendments are considered, but there is no limit upon the number that may be offered.

In fact, debate can be lengthened by the offering of pro forma amendments, which are motions to strike a word out of the bill. In a pinch a member might move to strike out the enacting clause of a bill, thus rendering it ineffective.

Today the Rules Committee lined up as follows:

To send the President's bill to the floor—Democratic Representatives Ray J. Madden of

Indiana, James J. Delaney of Queens, Richard Bolling of Missouri and Thomas P. O'Neill Jr., of Massachusetts; and Republican Representatives Leo E. Allen of Illinois, Clarence J. Brown of Ohio, Henry J. Latham of Queens, and Hugh Scott of Pennsylvania.

Against clearing the bill—Democratic Representatives Smith, William M. Colmer of Mississippi, Homer Thornberry of Texas and James W. Trimble of Arkansas.

Some Gains in Senate

On the Senate side, civil rights legislation has made gains, but concededly weak ones. Yesterday the committee rejected a Southern proposal that three-fourths of the rights program be eliminated from the Senate bill, leaving only a right-to-vote provision.

Still standing before the Senate Judiciary Committee was a proposed amendment that would add a "right to work" clause to the bill.

"Right-to-work" laws, passed in a number of states, prohibit the making of union membership a condition of employment.

The amendment remains as the "unfinished business" when the Senate panel assembles next Monday. If this amendment is beaten there were prospects that others would be introduced to prevent the committee from entertaining a motion to set a date certain for final votes on the Senate bill.

Another proposed amendment would seek to guarantee jury trials for persons charged with contempt of Federal Court injunctions restraining the right of minority groups to vote.

Such injunctions could be instituted under the legislation against alleged violations of civil rights.

Tonight the American Civil Liberties Union contended that a guarantee of jury trials could "fatally undermine the program" when "community sentiment blocks the enforcement of law."

The apparent inference was—as has been charged in Congress—that juries in communities hostile to civil rights guarantees might refuse to convict, while an injunction proceeding by the Government could fill such gaps in prosecutions.

Civil Rights Clears Hurdle In Committee

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BIGGEST OBSTACLE

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CIVIL RIGHTS

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New Clause May Doom Rights Bill McClellan For 'Right to Work'

By Robert J. Donovan

WASHINGTON, Apr. 29.—A

Southern stratagem in the Senate Judiciary Committee today threatens to bring the roof down

on President Eisenhower's civil rights bill at this session.

Sen. John L. McClellan, D., Ark., a committee member, proposed to amend the Administration's bill with a "right-to-work" clause—a piece of labor legislation that is anathema to unions and liberals. It is designed to guarantee job rights to an individual whether he belongs to a union or not and thereby undermines the union shop.

If the Judiciary Committee should report out the civil-rights bill with this amendment—and competent sources said that this possibility was not be ruled out—the measure could well be caught in a hopeless crossfire.

Sen. McClellan offered his right-to-work amendment at a closed session of the Judiciary Committee today, and the group voted to make the bill the pending business at its next session next Monday, with the amendment the first to be considered. But in the Senate today's development plus the long debates, however, Sen. James O. Eastland, D., Miss., the chairman, explained that this agreement on procedure allowed the committee to interpose certain items of business, such as nominations and private-relief bills, ahead of civil rights, so the issue could be delayed.

It was learned that the committee was ready to vote on the McClellan amendment today, but was dissuaded by Sen. Everett M. Dirksen, R., Ill., a co-sponsor of the Administration bill.

Could Sue Union

What the McClellan amendment would do is to make the right to work, regardless of union membership, one of the substantive, statutory civil rights. Not only would it permit the person deprived of this right to sue a union for damages, but it would, in the opinion of com-

mittee experts, authorize the Attorney General to get court injunctions to protect the right to work.

Attorney General Herbert Brownell Jr. has already opposed the inclusion of any such clause in the civil rights bill as being out of place.

The McClellan amendment also would forbid a union or its officials from coercing a union member to vote for a particular candidate in a Presidential or Congressional election.

These are serious and substantial questions of law and public policy which would freight the civil-rights bill with enormous controversy.

Issue Is Drawn

The President has made civil rights one of the tenets of his "modern Republicanism," and the question now arises whether the Republican minority in the Judiciary Committee will vote to keep the legislation free of such an amendment. Interest will focus particularly on the votes of these Republicans—Sens. William E. Jenner, Ind.; Arthur V. Watkins, Utah; John Marshall Butler, Md., and Roman L. Hruska, Neb.

Sen. Eastland said Sen. McClellan had notified the committee that later he would offer an even more stringent right-to-work amendment imposing criminal penalties for violations. Sen. Eastland also said that he knew "several" other amendments of another character would be offered.

As for the House, the majority leader, Rep. John W. McCormack, D., Mass., predicted today that the civil rights bill would come up in May and be passed. But in the Senate today's development plus the long debates, anticipated on the budget make the outlook for action at this session dubious.

South Wins Point In Rights Fight

Committee OKs Jury

Trial In Contempt
Right-To-Vote Cases

WASHINGTON, June 3

(UP) — The Senate Judiciary Committee voted 7-to-3 today to wipe out one of the

South's chief objections to President Eisenhower's civil rights bill by guaranteeing jury trials in right-to-vote contempt cases.

The committee acted a few hours before the Justice Dept. made public a letter from Atty. Gen. Herbert Brownell Jr. in which he declared that the change in the administration's bill would destroy the effectiveness of civil rights legislation.

The committee adopted an amendment by Sen. Sam J. Ervin Jr. (D., N. C.) which would grant a jury trial to persons charged with violating federal court injunctions forbidding interference with the right to vote.

The vote was a victory for Southern Democrats who have argued that the original bill would violate the right to trial by jury. They said persons accused of violating court injunctions would be charged with contempt of court and tried only by a judge.

Brownell, in a letter to three members of Congress who had sought his views, said the amendment would "undermine the authority of the federal courts by seriously weakening their power to enforce their lawful orders."

Brownell said the original administration bill proposed "no new or radical procedures." He said contempt of court cases now are normally heard by a judge and that the government seeks only those rights which have been "long available" to it in other federal cases.

He cited similar procedures to restrain civil violations of the anti-trust laws and to the use of injunctions by the Labor Dept. in enforcing the Fair Labor Standards Act.

"Prompt action will often be vital in civil rights cases," Brownell said, "especially election cases where the registration period or the election may pass while enforcement is delayed."

"The injection of a jury trial between an order of a court enjoining discrimination against Negroes in an election, and the enforcement of that order would provide numerous opportunities for delay beyond the time when the order could have practical effect."

The amendment approved by the Senate committee was a substitute for a right-to-work proposal by Sen. John L. McClellan (D., Ark.). McClellan said he may reword his proposal and offer it later. It would outlaw the union shop in labor-management contracts.

Opponents of the Ervin amendment have argued that

most civil rights cases presumably would be heard in the South and juries would be weighted in favor of defendants. They said judges always consider contempt of their own orders.

Voting for the Ervin amendment were Committee Chairman James O. Eastland (D., Miss.) and Sens. Olin D. Johnston (D., S. C.), Joseph C. O'Mahoney (D., Wyo.), John Marshall Butler (R., Md.), Estes Kefauver (D., Tenn.), McClellan and Ervin.

Opposed were Sens. Alexander Wiley (R., Wis.), Arthur V. Watkins (R., Utah), and Everett M. Dirksen (R., Ill.).

Eastland said after the closed-door meeting that Watkins asked that the result be held open to allow five absent members to vote, a move that possibly could have reversed the decision. This was blocked on an objection that absentees never have been allowed to vote on amendments.

The absentees were Sens. William Langer (R., N. D.), Thomas C. Hennings Jr. (D., Mo.), Matthew M. Neely (D., W. Va.), William E. Jenner (R., Ind.), and Roman L. Hruska, (R., Neb.).

Eisenhower, GOP Solons Discuss Rights Program

WASHINGTON, D. C. — (NNPA) — President Eisenhower had a full discussion of civil rights legislation with Republican Congressional leaders at their weekly conference at the White House Tuesday morning.

The report on civil rights was made to the President by Representative Joseph W. Martin, of Massachusetts, the House minority leader.

Senator William F. Knowland, of California, the Senate minority leaders, told reporters that the conference included a discussion of the right-to-vote amendment, which was tacked onto the Dirksen civil rights bill in the Senate Judiciary Committee, and which southerners will make an effort to write into the Keller bill which it is being read in the House next week for amendment.

Deputy Attorney General William P. Rogers attended the White House conference and discussed all phases of civil right legislation in both the Senate and House.

He also called attention to the letter written by Attorney General Herbert Brownell to Senators Thomas H. Kuchel of California and Clifford P. Case of New Jersey

and Representative Kenneth B. Keating of New York, all Republicans, in opposition to the jury-trial amendment, and gave the Justice Department's views on that question.

Mr. Martin told reporters that the opening of general debate on the civil rights bill was deferred in the House from Wednesday to Monday.

The rule providing for four days of general debate on the bill was adopted Wednesday.

Mr. Martin said the four southern members of the House Rules Committee Representatives Howard W. Smith of Virginia, William M. Colmer of Mississippi, James W. Trimble of Arkansas and Homer Thornberry of Texas -- not to go on with general debate on Wednesday because they wanted a full day.

He said they raised the point that if general debate were begun after an hour of debate on the rule and then the vote, they would have had only a half day for debate of the civil rights bill.

Mr. Martin said the Republicans had no objections to starting debate on Monday.

President Hits Senate Curbing Of Rights Bill

Fellow Republicans

See Political Aid

In Plan's Defeat

By Edward T. Folliard
Staff Reporter

Although President Eisenhower was described yesterday as "damn unhappy" over what the Senate did to the civil rights bill, his fellow Republicans predicted that the legislative defeat would turn out to be a political boon for the Grand Old Party in the 1960 election.

They were thinking, of course, of the Negro vote in the North, which in a number of states is of a size to provide the margin of victory or defeat.

See Strengthened Trend

The Republicans reasoned this way: Negro voters in the North, who voted almost solidly Democratic in the New Deal and Fair Deal years, began trooping back to the Republican Party in 1956. There was visible evidence of "I like Ike" sentiment among them last November. Doesn't it stand to reason (the GOP strategists argued) that this Negro trend toward the Republican Party will be strengthened as a result of the Administration's effort to put through a stronger civil rights bill in Congress?

Some Democratic politicians agreed that the voting on a jury trial amendment to the bill probably would help the Republican Party to some extent in the North and East. At the same time, they expressed the opinion that the Republican Party's drive to make headway in the South might now just as well be abandoned.

The Democrats also had

one other comforting thought. Thanks to the action of some "moderates," they said, the Democratic Party had been saved from a terrible split.

How President Eisenhower felt about the Senate's 51-to-42 vote to guarantee a jury trial in cases of criminal contempt was described by Sen. Charles E. Potter (R., Mich.), after he had called at the White House in the morning.

"The President was damn unhappy about the vote last night," Potter told reporters.

President's Statement

A little later on, the President pretty well confirmed this with the following prepared statement:

"My first reaction to the vote in the Senate last night is to extend my sincere appreciation to Sen. (William F.) Knowland and to those Senators who stood with him in valiant and persistent efforts to bring to all our citizens protection in their right to vote—a protection of which many are now deprived.

"Rarely in our entire legislative history have so many extraneous issues been introduced into the debate in order to confuse both legislators and the public.

"The result cannot fail to be bitterly disappointing to those many millions of Americans who realized that without the minimum protection that was projected in Section 4 of the bill as it passed the House of Representatives, many fellow Americans will continue, in effect, to be disenfranchised.

"Finally, no American can fail to feel the utmost concern that an attempt should be made to interpose a jury trial between a Federal judge and his legal orders. During our history as a Nation great Americans have pointed out that such a procedure would

weaken our whole judicial system and particularly the pre-jury trial amendment.

tige of the Federal Judiciary. To Be Focal Point

In this case it will also make largely ineffective the basic purpose of the bill—that of protecting promptly and effectively every American his right to vote.

The Democrats regarded the President's statement as a political handbill, aimed primarily at Negro voters in the North. They agreed with Senator Pat McNamara (D.,

that the President had "done civil rights vastly more harm than good with his incompressible vacillation and equivocation."

Work Is Completed

On Measure; Vote

Is Due Next Week

By Robert C. Albright
Staff Reporter

The Senate yesterday working with unanimous, businesslike dispatch, completed work on the Administration's modified civil right bill but postponed a final vote until next week.

In five hours every pending amendment was voted on, without a single mention of the word "filibuster."

Then the Senate took the final step before passage. It ordered the completed bill read the third time. The effect of this was to bar any further Senate changes.

May Ask House to Concur

That means the highly controversial legislation is now wrapped up in one package, awaiting Senate passage early next week. What happens when it goes back to the House is another story.

Some Republicans are predicting the bill will go to a House-Senate conference, and possibly die there. A more likely outcome is this: House Leaders will ask the House Rules Committee to give the House an opportunity to concur down the line in the Senate amendments. Faced with a choice between the Senate bill and very probably no bill at all, the House may concur. If that happens the modified Senate bill will be sent directly to the President, who so

strongly criticized the Senate's the staff director of the new commission must be confirmed by the Senate. Although there was no controversy over this

As finally wrapped up by the Senate, after 21 days of debate, sent another victory for the South. Sen. Richard B. Russell (D-Ga.), leader of the Southern caucus, originally proposed the changes supported by Knowland.

Also adopted was an amendment by Sen. Olin D. Johnston (D-S. C.) to pay members of the commission only for the time they actually spend away from their homes.

The jury trial amendment, machine tolled by Senate Democratic Leader Lyndon B. Johnson (Tex.) to avert a devastating Democratic Party split, went beyond mere right-to-vote application to assure a jury trial in all criminal contempt cases, including labor cases. Persons found guilty by a jury of wilful disobedience of a court order would be subject to a maximum penalty of six months in jail and a \$1000 fine.

New Feature of Bill

An entirely new feature, and one which contributed to Johnson's dramatic Senate victory, was a provision assuring Negroes of the right to serve on Federal juries.

As completed last night the bill also:

- Creates a six-man bipartisan commission on civil rights, to make a two-year investigation of rights violations.
- Provides for a Civil Rights Division in the Justice Department, under an additional Assistant Attorney General.

A section providing for injunctive enforcement of all Constitutional rights was earlier stripped from the bill by the Senate.

Most of the amendments offered yesterday were voted down by voice votes and division counts but a few of them got into the bill.

Senate Republican Leader William F. Knowland (Calif.) sponsored one of the successful amendments. This would (1) ban use of voluntary workers by the new civil rights commission, (2) require its reports to be submitted to Congress as well as the President, and (3) further stipulate that

the 3-point amendment, it represented another victory for the South. Sen. Richard B. Russell (D-Ga.), leader of the Southern caucus, originally proposed the changes supported by Knowland.

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Civil Rights Bill Seen Dead For Session

President Said To Believe Senate Plan Unworkable

Associated Press
President Eisenhower was reported adamant yesterday against the Senate's revamped civil rights bill, and Rep. Joseph W. Martin Jr., House GOP leader, pronounced civil rights legislation "dead for this session" of Congress.

Three top Administration officials, who cannot be named, said in interviews that Mr. Eisenhower regards the Senate version of the bill as completely unworkable. He was said to be throwing his weight solidly against House acceptance of it.

Martin told a reporter: "The bill is not acceptable to us, and I don't think it's acceptable to a majority of the House."

He foresaw a probable deadlock which would put the issue over to next year.

Opposed to Amendment

The three Administration leaders agreed that, as the matter stands, Mr. Eisenhower

would rather have no bill at all than accept the Senate's insertion of the jury trial amendment in a measure which it already had stripped of authority to enforce civil rights in general.

Some House Democratic leaders voiced the opinion privately that the Republicans "don't want a civil rights bill this year." They contended the Eisenhower Administration is stalling and hoping to carry the issue over into the 1958 election year.

Martin called the Senate bill in its present form a Democratic bill and declared "we won't take it in the form it is likely to come out of the Senate."

In foreseeing a possible deadlock over efforts to compromise differences between the Senate version and the more sweeping, Administration-sponsored bill passed by the House, Martin said:

"It looks to me as though this bill is dead for this session. That will put the whole civil rights fight over until lays the bill on Mr. Eisenhower's desk."

In a move that stunned Administration leaders, the Senate wrote into the bill by a 51-42 vote early Friday a provision requiring jury trials in all Federal court criminal contempt cases.

Criminal contempt is generally defined as an action in which judge desires to punish a defendant for wilful disobedience of court orders. There would be no jury trials where a judge sought only to induce obedience by means of civil contempt citations and where the defendant could go free as soon as he complied.

Mr. Eisenhower said the jury trial provision would "make largely ineffective the basic purpose of the bill—that of protecting promptly and effectively every American in his right to vote."

On this ground he was represented as likely to urge House Republicans to stand fast against acceptance of the Senate version. He was said to feel that if this results in tying the measure up in a Senate-House conference committee for the rest of this session, proponents of a strong measure will be in a good position to resume the fight next January.

The House either can accept Estes Kefauver (D-Tenn.) and the Senate bill or send it to a Olin D. Johnson (D-S.C.), Senate-House conference committee. But in any event, the House Rules Committee next January when Congress reconvenes."

The Chief Executive's legal advisers are said to have told Mr. Eisenhower the measure the Senate may pass by mid-week represents not only an "empty shell" for protection of voting rights but will hamstring Government enforcement in other fields.

Southern Senators held a strategy session on the bill yesterday and Sen. Richard Russell (D-Ga.) told reporters afterward that he expects a Senate vote "within a reasonable time," perhaps Wednesday or even sooner.

"Up to now there has been no filibuster on this bill," Russell said. "None was planned at our session."

Sen. William F. Knowland (R-Calif.), who breakfasted with Mr. Eisenhower, told reporters he hopes the House will send the measure to a Senate-House conference committee in an effort to compromise its terms.

Knowland, the Senate Republican leader, did not rule out some compromise on the controversial jury trial amendment which he previously had said made the measure "ineffective." But he said he has yet to see any compromise he finds acceptable.

Sen. Lyndon B. Johnson of Texas, the Democratic leader, made it clear he hopes the House accepts the Senate version without a conference and headed by Rep. Howard Smith (D-Va.) probably will have to clear it first.

Smith is an opponent of civil rights legislation and might delay Rules Committee action for at least a couple of weeks.

If the bill is sent to a conference committee, Senate controversy may develop over the personnel of its seven members.

Usually each chamber's group of seven members provides a majority of supporters for its version of the legislation. Under usual procedure, Sen. James O. Eastland (D-Miss.), who opposes enactment of any civil rights legislation, would be chairman of the Senate group because he heads the Judiciary Committee.

Eastland and two other prospective conferees, Sens.

C. Hennings (D-Mo.), Alexander Wiley (R-Wis.), William Langer (R-N.D.) and William E. Jenner (R-Ind.).

In this situation, Knowland said it was possible two sets of conferees would be suggested and the Senate would have to vote on its choice of representatives. Ordinarily, the Senate authorizes the Vice President to appoint conferees, which he does from a list agreed upon by the majority and minority leader.

Asks Okay Of Rights Bill As It Stands

Washed. T-31-57
Washington D.C.
BY GARNETT V. HORNER

President Eisenhower said flatly today that he does not believe any jury trial amendment should be put into the civil rights bill.

He told a news conference that he is for the bill as it stands before the Senate now and hopes it can be passed soon.

The President also said that the impasse in the Senate on several appropriation bills means that about 1,250,000 Government civil workers and 2.8 million members of the military services cannot be paid after tonight until some action is taken by Congress.

Commenting that the appropriations tie-up is a very serious thing, Mr. Eisenhower said he hopes nothing disastrous comes out of it.

He added that the most desperately hit agency is the Small Business Administration, whose authorization to exist runs out tonight. He added that SBA's 1,200 employees can work after tonight only by request and without any assurance whatever that they ever will be paid.

To Urge Another School Bill

On other questions at his news conference, the President: 1. Declared that he will urge another Federal school aid bill on Congress next year. He defended his actions in regard to the measure killed by the House recently.

2. Emphasized that the for-

eign aid program before Congress is essential to the security of the United States and the world and expressed strong hope that it would be approved without crippling money cutbacks or changes.

3. Explaining that while he hopes nuclear weapons may eventually be eliminated as a threat to the world, he cannot say that this is in the realm of practicality now.

4. Suggested that Congress review conflict-of-interest laws, which he said make it difficult to get some efficient business executives into Government jobs. He remarked that some members of Congress have told him that the law is antiquated.

5. In regard to published reports estimating that he is worth \$1 million, offered to sell out for \$1 million. He also emphasized that the only thing he knows about his private investments while he is President is an annual report of what he owes in taxes.

Would Sustain Court Powers

In regard to the civil rights controversy, Mr. Eisenhower stressed that the essence of his position is that the United States must make certain that every citizen who is entitled under the Constitution to vote actually is given that right.

He added that in sustaining the right to vote, the traditional powers and rights of the courts should be sustained.

So, the President asserted, he does not believe in any amendment to Section IV of the civil rights bill pending in the Senate that would destroy the traditional method for Federal judges enforcing their orders.

The President was told that some members of Congress are charging that his lack of all-out support for the school aid bill in the House recently was to blame for its defeat.

The President recalled that he long had urged Federal aid to help build schools in the present emergency, but to avoid what he called another giveaway he stressed that Federal aid should be distributed to States and school districts on the basis of need.

Doubts Termination

The President argued that if the Federal Government made every State believe it was getting something for nothing in the school aid program, then he doubted the Government's ability to terminate the bill after the proposed five-year

period of aid. He added that certainly he would not be around to veto extension.

Therefore, Mr. Eisenhower said, he was not enthusiastic about the bill that the House defeated because it failed to stress need as a basis for distributing aid. He had been willing to accept it because of the urgent need for schools.

At another point he remarked that he had compromised his principles twice in connection with the school bill, but was getting to the point where he could not be too enthusiastic about a policy that might put another albatross around the country's neck.

It was then that he promised to have another school bill for congressional consideration next year.

Ike's Blasts Fail To Stop Rights Gains

Washed. T-31-57
Washington D.C.
BY GARNETT V. HORNER

WASHINGTON, Aug. 2 (AP) — President Eisenhower blasted the revamped civil rights bill in an angry statement today but the Senate pushed it to the point of passage.

When the chamber knocked off work in late afternoon it had completed all action on the bill except the rollcall on approval.

Sen. Lyndon Johnson of Texas, Democratic leader, said he hoped for that rollcall next Tuesday. There was no sign of a filibuster.

Eisenhower struck hard at the amendment, adopted last night guaranteeing jury trials of any criminal contempt of court charges growing out of voting rights cases or a host of other cases.

He said this was a blow to "our whole judicial system" and added: "It will also make largely ineffective the basic purpose of the bill—that of protecting promptly and effectively every American in his rights to vote."

VETO SPECULATION

This presidential language raised speculation about a possible veto, but some supporters of the administration measure were hoping to change the Senate amendment in a Senate-House conference.

The House has passed a bill along the lines desired by the administration. For one thing it provides no jury trials in cases where persons violate voting rights injunctions issued by federal judges at the request of the attorney general.

The Senate bill as amended provides that when violations of voting rights occur or are threatened the attorney general can go into federal court and ask an injunction. Persons flouting the injunctions would be subject to contempt action.

Two forms of such action would be possible, depending on circumstances. The judge could jail the balking person for civil contempt—a move designed to induce him to obey the injunction.

But if the judge wanted to punish him for criminal contempt, a jury trial would be necessary.

OTHER SECTIONS

Other sections of the Senate bill would set up a commission to investigate civil rights problems and create a civil rights division in the Justice Department.

This morning, Sen. Knowland of California, Republican leader who fought the jury trial amendment, expressed belief that it was now unlikely any civil rights bill would reach the statute books this year.

He and Rep. Keating of New York, a leading House Republican, took the view that a Senate-House conference could not succeed in combining the two measures.

But this afternoon Knowland announced he would vote for the bill next Tuesday, in the belief it is "better than nothing at all" and in the hope it can be "modified and strengthened" in conference.

Sen. Lyndon B. Johnson of Texas, Democratic leader called the Senate measure "a meaningful and effective" right-to-vote bill. "I am as proud of the Senate as a great deliberative body as I have ever been," he told his colleagues.

FINAL STAGE

He said that the measure was brought up to its final stage despite predictions that the Senate couldn't legislate on this subject and that it would be in session all winter.

He said he hopes "an overwhelming majority" will join him and Knowland in voting for the bill next week.

Sen. Morse (D-Ore) disagreed sharply with the view of Johnson that Senate changes had improved the bill.

"I consider it a corpse," he said.

"It's a mistake to wait over the weekend because its odor is going to be pretty bad on Monday. The corpse stinks. This is dead as far as the rights for colored persons are concerned."

During the day, the Senate shouted down two amendments which Southern senators had said in debate were highly important to the bill.

TOKEN FIGHT

Both were called up by Sen. Ervin (D-NC), but only a token fight was waged on each. The Southerners did not even use all the limited time available.

One of the amendments would have prevented the federal government from instituting an injunction suit in a voting rights case without the written consent of the person for whose benefit the suit was filed.

On this one, the Southerners asked for a standing vote after it lost on voice vote, but it still was beaten.

The other would have eliminated from the bill a section which Ervin said would permit the attorney general to by-pass all state administrative procedures in bringing injunction suits.

AGAINST AMENDMENT

Sen. Javits (R-NY), arguing against the amendment, said the effect of it would be to let state agencies concerned with voting rights frustrate all efforts to make them effective.

The Southerners did not even offer one amendment which they previously had said would involve a big fight. This would have wiped out the subpoena power given the civil rights commission set up in the bill.

An amendment of Sen. Potter (R-Mich) also was beaten on voice vote. This would have exempted from the military draft all persons whom the attorney general found to have been deprived of their voting rights.

Looking ahead, it appears there may be some strenuous arguments when Senate and House conferees sit down to try to iron out differences on the legislation.

Rep. Celler Fights Rights Filibuster

WASHINGTON, D. C. — (NNPA) — Representative Emanuel Celler, Democrat, of New York, was back Tuesday, answering questions on the Eisenhower civil rights bill in what appears to be an incipient filibuster in the House Rules Committee.

Mr. Celler, chairman of the House Judiciary Committee which has approved the bill, testified last week in support of the measure he is sponsoring.

Representative William Colmer, Democrat, of Mississippi, who questioned Mr. Celler at length on first appearance before the committee, resumed his questioning Tuesday.

The only other committee members to participate in the questioning were Representative Howard W. Smith, of Virginia, chairman of the Rules Committee, and Homer Thornberry, Democrat, of Texas. One other southerner on the committee, Representative James W. Trimble, Democrat, of Arkansas, asked no question.

THE OPPOSITION

These four southerners constitute the opposition to the bill in the Rules Committee. Smith has made no bones of the fact that he is in no hurry to have the committee vote to send the bill to the House floor for debate and vote. It is obvious that Colmer is killing time by his lengthy questions, always preceded by windy arguments.

As the basis for his questioning Tuesday, Colmer went back to the 1932 debate on the Norris-LaGuardia which provided for jury trials in contempt cases growing out of violations of injunctions in labor disputes.

Colmer accused Celler of "reversing his field" by favoring jury trials in contempt cases growing out of labor disputes but opposing jury trials in contempt cases growing out of civil rights violations.

LEE BEAUREGARD QUOTE

Celler quoted to Colmer a remark he said Robert E. Lee made to Pierre Beauregard, both Confederate generals, that true patriotism requires men to act at one period exactly contrary to what it does at another.

quotation attributed to Ralph Waldo Emerson that "Consistency is the hobgoblin of little minds."

If there is abuse and usurpation of power by the judiciary under the proposed civil rights bill as there was under conditions which brought forth the Norris-LaGuardia Act, Mr. Celler said, he would be one of the first persons to seek a change.

Mr. Celler pointed out that "important injunctions" had been issued in Texas, South Carolina, Alabama and Virginia, which "covered almost completely the activities of the NACP," without jury trials.

If Colmer will agree with him that state laws must be revised to require jury trials in civil contempt cases, Celler said, maybe he will "reciprocate" and require jury trials in contempt proceedings in civil rights cases.

MILL WORKERS CASE

Celler recalled the case of four mill workers in North Carolina. He said in that case Ervin had "brushed aside" the argument for a jury trial and rendered his decision.

Celler called the clamor for jury trials a "strange metamorphosis" to invoke belatedly a legal protection that never existed.

Asked by Colmer whether the bill was politically motivated, Celler said he did not think so.

There are principles involved, Celler asserted. He added that it was a surprise to some opponents of the bill that the courts have gone as far as they have in recognizing that colored people are human beings and are entitled to as much consideration as white persons.

Celler conceded that politics

have been injected into bill. As an example, he cited the "southern Manifesto," signed by more than 100 southern members of Congress, and called the Supreme Court decision against segregated schools a clear abuse of judicial power.

Celler pointed out that a North Carolina Congressman who refused to sign the "Southern Manifesto" had been defeated.

Civil Rights Must Lead In More Than One Direction

SOUTHERNERS IN THE SENATE won a notable victory in their battle against President Eisenhower's civil-rights program. After four months of skilful filibuster-in-committee, delaying a showdown until so late in the session as to make compromise or inaction inevitable, the Senate Judiciary Committee approved an amendment that would grant a jury trial to persons charged with violating Federal Court injunctions forbidding interference with the right to vote.

It is a victory not so much for the South, however, as for the general idea that creating new powers for the Justice Department without preserving the safeguard of trial-by-jury could create a centralized tyranny endangering the civil rights of every American. And it was on this ground, eloquently argued by North Carolina's Senator ERVIN, a former member of his state's Supreme Court, that the Southern minority on the Judiciary Committee was able to win the somewhat reluctant support of some non-Southerners in both parties.

The new powers sought by Attorney General BROWNELL had a commendable aim—protection of the Southern Negro's right to vote. And there is considerable truth in his argument that Southern juries in many cases would be unlikely to convict a person charged with violating court orders in voting or other civil-rights cases.

But the commendable aim scarcely justifies the proposed means, whereby considerable increase in federal power over state or local governments, centered in the key ruling of a single judge, would not be checkmated by the right to jury trial. And though Mr. BROWNELL contends that the jury-trial amendment would permit "practical nullification" of the proposed civil-rights legislation, he overlooks several important facts.

One is that the Attorney General would still be empowered to intervene in a suspected case of civil-rights violation and get a federal injunction against it—and that even in the South jurors from federal panels tend to be both more

representative and more respectful of federal judicial processes. Another is that the approved legislation still provides for creation of a bipartisan commission to look into allegations that citizens are deprived of voting rights or subjected to "unwarranted economic pressures by reason of their sex, color, race, religion, or national origin"—and for creation of a new section in the Justice Department to follow up such complaints.

There is, too, Mr. BROWNELL's own admission that, distasteful as he finds it to be, the Attorney General can undertake "unduly harsh" criminal prosecutions against "respected local officials" guilty of circumscribing the Negro's right to vote. He was arguing that "no amount of criminal punishment" after an election "can rectify the harm" done while it is being held—but a few instances of such vigorous or "unduly harsh" prosecutions might prove a healthy discouragement to future denials of rights.

Far better to rely on this seldom-used power, surely, even if no additional civil-rights legislation is ever passed (and none of much significance has been enacted since 1875) than to accept Mr. BROWNELL's basic argument. That argument, it seems to us, is that democratic processes are not always to be trusted, hence, in order to insure more democracy for some, should sometimes be circumvented by the government itself.

PRESIDENT UNCLEAR ON CIVIL RIGHTS BILL

Concedes Again He Does Not Understand Program He Urging Passed

WASHINGTON, May 16—President Eisenhower conceded again Wednesday that he doesn't

fully understand the controversial civil rights bill he is urging Congress to pass.

The President was asked at his news conference for his views on the bill's failure to guarantee jury trials for persons charged with contempt of court for alleged violations of injunctions which the bill would authorize.

See Attorney General

A reporter noted that Southerners are objecting to omission of the guaranty of jury trials.

"Well, I know that, but, as a matter of fact," the President replied, "I am not enough of a

rights bill will hurt Republican chances of winning additional House seats in the South "in the long run."

He said the bill "is a very moderate thing, done in all decency and in a simple attempt to study the matter, see where the Federal responsibilities lie, and to move in strict accordance with the Supreme Court's decision, and no faster and no further."

Won't Hurt Party

A somewhat similar question was asked of the President several weeks ago and he replied then in about the same vein. Replying to another question Wednesday, he said he didn't think his advocacy of the civil

lawyer to discuss that thing one way or the other. "I do know that the Federal courts must not—I mean, their dignity and their position and prestige must be upheld. But I

form of government even if all (D., Miss.) charged the bill "would destroy civil liberties instead of protecting them." "It will create far more racial abuses which this bill would establish into law, but undoubtedly the greatest of these would be the denial of trial by jury." All Mid-South representatives participated in the three days of debate and will continue active during consideration of amendments this week.

CIVIL RIGHTS PROGRAM OK'D BY SUBCOMMITTEE

MINOR CHANGES MADE; FULL ACTION TUESDAY

BY KENNETH WEISS

WASHINGTON — (INS) — President Eisenhower's Civil Rights program was unanimously approved by a House Subcommittee Wednesday with minor changes designed to meet Southern objections.

The civil rights subcommittee finished action on the measure sponsored by Rep. Kenneth Keating (R-N.Y.), after eight days of hearings and scheduled full judiciary committee action next Tuesday.

Keating and committee chairman Emanuel Celler (D-N.Y.), predicted the bill will be approved by the full group and then passed by the Senate and House. A similar plan passed the House last year but died in the Senate.

The measure provides for a Presidentially-appointed study commission to hold hearings and make further recommendations for civil rights legislation, allows the Attorney General to seek injunctions against persons who violate or are about to violate anyone's civil rights, and establishes a civil rights division in the Justice Department.

The changes made by the committee are aimed at meeting southern objections and, as Celler said, "make the bill less unpalatable to the South."

They would require complaints of civil rights violations to be made under oath or affirmation, forbid the Attorney General to institute a private action without the written consent of the aggrieved party, take religious discrimination out of the bill, forbid witnesses before the commission to be subpoenaed beyond their own judicial district and apply the rules of the House to the commission hearing.

The subcommittee action was

Keating said the measure had "excellent prospects" of getting full committee approval and added it "should go sailing through the committee, the House and the Senate." Jokingly, he commented that it "might be becalmed a time but it will get through." He referred to stalling tactics expected to be used by southern opponents of the measure.

Celler told newsmen that he thought there was a "good prospect" of committee approval adding: "We have the votes."

Ike Can't Speak in South On Rights, Negroes Told

The Justice Department said yesterday that President Eisenhower will not be able to make a major speech in the South on civil rights, as he had been urged to do by anti-segregation leaders.

The Department made public a letter disclosing that Presidential Assistant Sherman Adams, in a Jan. 18 telegram, told the Rev. Martin Luther King Jr., of Montgomery, Ala., that "it was not possible for the President to schedule a speaking engagement such as you asked."

The Department also disclosed, in response to an inquiry,

that it had rejected an House Judiciary subcommittee, "urgent" request for a conference between Attorney General Herbert Brownell Jr. and representatives of the southern Negro leaders conference on transportation and nonviolent integration.

Such a conference was sought in connection with recent violence attending attempts to end segregation on public transportation systems in the South.

The Department said As- legislation at this session resistant Attorney General Warren Olney III wired King two weeks ago that the Department limited debate — is considered a "well understands your certainty if a bill ever reaches the interest and position in this Senate floor."

The full House Judiciary Committee is to act on the legislation next week. The House Rules Committee would then be called on to give it clearance to the House floor. Southern opposition may be expected in the Rules Committee.

Predicts House Okay
However, predictions were that the Rules Committee would give it clearance eventually. Rep. Joseph W. Martin (R-Mass), House minority leader, predicted yesterday that the House could take up the bill about March 15 and pass it in two days.

This would put the legislation more than four months ahead of its schedule last year. In 1956 the House passed a bill July 23, but Congress adjourned four days later without the Senate taking action.

A full Senate Judiciary committee is to wind up hearings on civil rights legislation March 5. Approval would send it to the full Judiciary Committee, which is headed by Sen. Eastland (D-Miss), an opponent of such legislation.

RIGHTS MEASURE BACKED IN HOUSE

Subcommittee Approves

Ike's Proposal
New Orleans, La.
By J. W. DAVIS

WASHINGTON, Feb. 27 (P) — A

said he hoped for a vote before the Easter recess beginning April 18. Others were not so sure.

Brownell Sees Need

The Eisenhower program, presented by Atty. Gen. Brownell who said it was needed to protect civil rights of many Negroes in the South, has four main parts:

1. Creation of a federal commission to investigate and consider reported violations of civil rights.

2. Establishment of a civil rights division in the Justice Department.

3. New laws to protect voting rights and permit the federal government to use court injunctions to prevent violations.

4. Provision for civil damage suits where civil rights have been adjudged to have been violated. Southern critics have assailed it as a politically motivated invasion of states rights and a threat to prosecute individuals without trial by jury.

On civil rights Ike won't make speech in Dixie

WASHINGTON, Feb. 1—(P)—

The Justice Department said today President Eisenhower will not be able to make a major speech in the South on civil rights, as he had been urged to do by anti-segregation leaders.

The department made public a letter disclosing that Presidential Asst. Sherman Adams, in a Jan. 18 telegram, told the Rev. Martin Luther King Jr. of Montgomery, "it is not possible for the president to schedule a speaking engagement such as you asked."

The department also disclosed it had rejected an "urgent" request for a conference between Atty. Gen. Brownell and representatives of the Southern Negro leaders conference on transportation and non-violent integration.

SUCH A CONFERENCE was sought in connection with recent violence attending attempts to end segregation on public transportation systems in the South.

The department said Asst. Atty. Gen. Warren Olney III wired King two weeks ago that the department "will understand your interest and position in this matter and no conference is needed to make this clear."

"With respect to specific incidents of violence, a conference at this time would not be helpful or appropriate," Olney told King, whose home has twice recently been the target of attempted bombings.

The wire suggested that any evidence of federal offenses be reported promptly to the FBI or the local U. S. attorney.

The FBI has been investigating a series of bombing incidents in Montgomery to determine if any federal statute was violated. The department today declined to discuss the status of this investigation.

THE LETTER FROM Olney to King noted that Eisenhower in his Jan. 10 State of the Union message urged the American people everywhere "to approach these integration problems with calm and reason, with mutual understanding and good will." Olney said:

"As mentioned in my telegram to you on Jan. 18, this department will cause allegations of federal defenses to be investigated, and will act vigorously when such investigations reveal the commission of federal offenses.

"Notwithstanding our deep aversion to violent acts of the sort you described, the primary responsibility for the maintenance of law and order is lodged in state and local authorities. The federal government has no general police power, and this department can act only when offenses transpire within the purview of existing federal statutory provisions. I assure you of our serious concern."

Civil Rights Bill Approved By House Unit To Act Tuesday With OK Forecast

Post-Herald
Thurs. 2-28-57
B. Nam, Ala.
Full Committee
7.3

WASHINGTON, Feb. 27 (U.P.)—A House Judiciary subcommittee today approved President Eisenhower's four-point civil rights program after tacking on four amendments to make it "less unpalatable to the South."

By a vote of 6 to 0, the subcommittee sent the measure to the full committee for action next Tuesday. Booh Chairman Emanuel Celler (D., N. Y.) of the full committee, and Rep. Kenneth B. Keating (R., N. Y.), its ranking Republican, predicted its approval.

House passage was considered a foregone conclusion. Administration leaders also have predicted Senate approval before Easter, despite threats of a Southern filibuster against the bill.

The subcommittee's approval of Mr. Eisenhower's program came less than 24 hours after the group completed eight days of hearings on the proposals.

Celler, who also heads the subcommittee, said the four modifications were designed to meet to a considerable degree some of the objections to the program raised by Southerners at the hearings.

"The amendments will make it less unpalatable to the South," he told newsmen.

The bill would establish a six-member bi-partisan commission to investigate complaints that citizens are being deprived of their right to vote or subjected to "unwarranted economic pressures" because of color, race, or national origin.

To meet Southern objections that the commission's powers were too vague and broad, the subcommittee tacked on three amendments (1) requiring the commission to follow House rules in its investigations, (2) permitting only sworn complaints to be considered, and (3) forbidding the commission to subpoena witnesses to attend hearings outside their home judicial districts.

Federal Civil Rights Bill Places Labor Safeguards In A Precarious Position

Commercial Appeal
Memphis, Tenn.
3-10-57
P.3

Weird Situation Finds Union Chiefs Supporting Measure Which Would Offset Vital Gains Of The Norris-LaGuardia Act

By MORRIS CUNNINGHAM

WASHINGTON, March 9.—Labor union leaders, as well as business executives, have more at stake in President Eisenhower's civil rights bill than they may realize.

An attorney attached to one of the congressional committees, who is now studying the situation, thinks the Administration measure may be much more far-reaching than appears on the surface.

While he has not yet completed his studies, and is not prepared to make a public statement, he sees a possibility the measure may invalidate or at least jeopardize many of the labor-protecting features of the Norris-LaGuardia act as well as some of those in the Taft-Hartley act.

Most important of these are the safeguards against arbitrary court injunctions and the denials of jury trials in contempt cases which once were used so effectively against labor unions.

He recalls that it was not until enactment of the Norris-LaGuardia Act, March 23, 1933, that labor unions were freed of these harassing assaults upon their right to picket as well as their very right to exist.

Same Procedures

Yet it is roughly these same procedures that the bill prescribes for enforcing racial integration and for preventing or punishing civil rights violations. The Justice Department would be empowered to obtain Federal court injunctions against persons or groups of persons who had, or were "about to," do certain forbidden things.

These forbidden acts would include violating the civil rights of others because of race, color or religion, through "unwarranted economic pressure" or

The injunctions could be so broad as to cover whole jurisdictions and to apply even to people who had no knowledge they had been issued.

Offenders would be dealt with summarily. They would not be charged directly with having committed the forbidden acts, but, instead, would face the charge of contempt of court for having violated the injunction.

And since the United States would be the plaintiff, the offenders would have no guaranteed right to a trial by jury. This would be left to the discretion of the Federal judge.

It is surprising that, since these procedures so nearly parallel those once used against labor unions, that some of the nation's top-ranking union leaders have been flying into Washington to testify in behalf of reviving them.

Precedent To Be Set

Even if the civil rights measure does not affect labor laws, it is somewhat surprising that union leaders ever again would testify in behalf of the injunctive and contempt of court procedures they once fought so bitterly.

For, if nothing else, there would be the precedent of having such legal weapons again in actual use on a large scale.

Yet Walter Reuther, president of the United Automobile Workers, and Andrew Biemiller, chief lobbyist for the AFL-CIO, have appeared at hearings here to express their enthusiastic approval of the Administration bill.

It is interesting to recall, too, that when the Norris-LaGuardia Act passed the Senate, those many years ago, it had the unanimous support of Southern

senators. Not a single Southerner voted against it.

However, union leaders apparently have forgotten this in their present zeal to impose upon the South the same procedures which once were used against their organizations.

The union leaders have expressed great concern over the civil rights of minority groups. But thus far they have shown no interest in writing into the Administration's bill a guarantee of the basic right of trial by jury—a right that carries with it the right of being faced by one's accusers, and the right of cross-examination.

Rights Could Be Ignored

Under the Administration's bill, it now has become clear, all of these rights could be ignored. There would be no expressed guarantee.

Southern congressmen regard any civil rights legislation as unnecessary and something that will do more harm than good. But they are particularly incensed over the attempt to deny the right of trial by jury.

Senator James O. Eastland (D., Miss.), chairman of the Senate Judiciary Committee, will fight the bill as a whole and also will offer a series of amendments to restore the right of jury trial.

Atty. Gen. Herbert Brownell Jr., whom President Eisenhower designated as his spokesman in the situation, has spurned any such amendments. They will be offered, nevertheless.

Mr. Brownell has cited the Justice Department's announcement that it will not oppose a defense motion for a jury trial in the Clinton, Tenn., contempt case. While this may well result in a jury trial of the Clinton case, a close study of existing Federal laws—particularly Section 3696, Title 18—since the department's announcement shows that the final decision will be up to Federal Judge Robert L. Taylor.

Business Also Has Stake

While labor unions have a stake in the Administration's bill, business also has cause to be interested. For another section of the bill would establish a Federal Civil Rights Commission which would be authorized to investigate and to hold public hearings on civil rights complaints.

In actual practice, this commission could harass businesses in much the same way as a Fair Employment Practices Commission.

It could, for example, give such widespread publicity to complaints of discrimination in hiring and firing policies as to virtually

force businesses to yield to terms similar to those set forth in the FEPC bills.

And unlike an actual FEPC law, which would specify that certain percentages of employees had to be of certain minority races and religions, the businesses would have no guiding standard to rely upon but, instead, would have no recourse except to try to satisfy the complainants.

SOUTHERNERS DELAY CIVIL RIGHTS ACTION

WASHINGTON, March 25 (U.P.)

—Southern members of the Senate Judiciary Committee succeeded today in delaying action on President Eisenhower's Civil Rights Bill for at least a week.

The committee ended its regular Monday meeting without a vote, despite a motion by Senator Thomas E. Hennings Jr., Democrat of Missouri, that the legislation be considered immediately.

The Senators discussed the motion for about thirty minutes before the Senate convened at noon, forcing the committee to recess. Under Senate rules, committees must have special permission to meet while the Senate is in session.

Senator Hennings said that Senators Sam J. Ervin Jr., Democrat of North Carolina, and Olin D. Johnston, Democrat of South Carolina, both foes of the legislation, did most of the talking on the motion.

The Missouri Democrat said that he would try again to force action on the bill at the committee's next scheduled meeting next Monday.

Clarence Mitchell, Washington director of the National Association for Advancement of Colored People, charged in a statement that opposition Senators were using "deception and filibuster" to delay a vote.

Senator Styles Bridges of New Hampshire, Chairman of the Senate Republican Policy Committee, told a television audience last night that the President's bill had an "excellent chance" of clearing Congress this year.

He conceded that there "probably" would be a filibuster against it. But he predicted that the filibuster would be smashed "because I think it's a pretty reasonable program."

Engelhardt Warns Congress 'Rights' Will Bring Chaos

Post-Herald, Birmingham Ala. 2-28-57

BY GENE WORTSMAN

Post-Herald Correspondent

WASHINGTON, Feb. 27—Alabama State Sen. Sam Engelhardt has warned Congress that "utter chaos" will reign in most sections of the South if civil rights legislation is passed.

He cautioned that such measures would drive Southerners underground.

"The unrest in the South created by these bills, if enacted into law, will be unparalleled insofar as dissatisfaction, down-right rebellion and lawlessness," Engelhardt said.

His written statement was prepared for the Senate Judiciary Committee which is studying civil rights measures.

Engelhardt pointed out that he is executive secretary of the Association of Citizens Councils of Alabama.

He claimed that "a vast majority of the people of the South" don't agree with the principles and objectives of the Ku Klux Klan.

"But without question these bills will create a similar organization not necessarily with the Klan principles, but these bills will make it necessary for the people of the South to operate secretly," Engelhardt stated.

"These bills," he added, "will create an organization or organizations never before dreamed of."

Englehardt said that imported Negro "goon squads" move in and out of Alabama Negro communities to keep the Negroes intimidated.

"I will make this prediction," he said.

"If a civil rights commission is set up as prescribed by this bill, within five years there will be a determined effort outside the South to repeal this act."

Engelhardt said that previous testimony to a House subcommittee by the National Association for the Advancement of Colored People was in error.

An NAACP spokesman has testified that no one could register in Engelhardt's home county of Macon because there was no board of registrars.

The board is operating, said Engelhardt.

Grady Rodgers of Tuskegee and Herman Bently of Notasulga are serving as registrars, he declared.

Alabama Congressman Albert Rains earlier told the House subcommittee that the bills are anti-American.

"The grievances, more imaginary than real, which such legislation would incite and inflame, would stretch from border to border and coast to coast," Rains declared.

"I hope to live to see the day," he said, "when this political football is kicked out of Congress for good and all."

Filibuster Pattern: Race Prejudice

Inquirer P. 4
When Senator Richard B. Russell, of Georgia, rose in the Senate earlier this week to set the stage for the Southern filibuster against the proposed civil rights bill, he said that he spoke "in a spirit of infinite sadness." *Fri. 7-5-57*

It is with the same sad spirit that the American people must view the spectacle of a talented and respected member of the U. S. Senate making himself the instrument of sectional hatred and misrepresentation.

Senator Russell warned that bitterness and bloodshed would be the outgrowth of passage of the civil rights bill. He said the bill was cunningly designed to bring the whole might of the Federal Government, including the armed forces if necessary, to compel a commingling of white and Negro children in the public schools of the South.

He said that the bill was deliberately drawn to enable the use of our military forces to destroy the system of separation of the races in the Southern States at the point of a bayonet. He said it is as harsh as any ever proposed by the Republican extremists in Reconstruction days.

As an appeal to prejudice, as an effort to rouse Southern race bigotry in all its fury, the Russell speech was all that the most ardent white supremacist could desire. As an appraisal of the proposed civil rights law and its meanings, it had no pretense to accuracy.

There is no threat of bayonets and bloodshed in the bill. The "forced commingling" of the races that the Senator talks about is no more than his own fantasy.

The bill passed by the House is moderate. It deprives no one of his rights, but permits the Justice Department to intervene whenever civil rights are denied. It authorizes the seeking of injunctions in Federal courts and the holding in contempt by a Federal judge of those who refuse to obey the injunctions. It is aimed primarily at sustaining the right of all American citizens to vote, a right that has been contemptuously denied hundreds of thousands by Mr. Russell's Southern compatriots.

The Senator's glib suggestion that the issue be left to the voters in a nationwide referendum is a meaningless gesture. As President Eisenhower remarked yesterday, there is no Constitutional provision for such a device. Passing controversial matters on to

a popular referendum would be an abdication by Congress of its responsibilities.

The shocking thing about Senator Russell's performance is not just its revival of sectional animosities and prejudices, but the pattern it sets for Southern opposition to the civil rights measure. We can look for a filibuster next week conducted as though we were fighting the Civil War all over again, with Southern demagogues in the Senate looking not to truth and reason, but to votes back home.

They Gave Up Too Soon

The remarkable case of Air Force Lieutenant David A. Steeves who lived 54 days in the frozen wilderness of the High Sierra is a story of heroism that contains some pointed lessons, not only for persons caught in a similar plight but for those in charge of rescue operations.

To put it bluntly, it is no thanks to search parties that the lieutenant is alive today. The Air Force had assumed he was dead, going so far as to send his wife a death certificate three weeks before he finally found his way to civilization. There are extenuating circumstances, it is true. The High Sierra is a true wilderness, and for a man to be lost there, especially in May when it is still bitter cold, is like a death warrant in itself.

Yet here again is an instance in which a pilot was alive and comparatively able-bodied but could not attract the attention of possible rescuers flying in plain sight overhead. At sea this has been a commonplace tragedy, and it has occurred also in the Arctic wastes. We are reminded of the problem whenever a survivor turns up to tell of his futile efforts. There must have been many others who did not live to tell the tale.

It would seem that the Air Force, the Navy and the Army could all give this matter more constructive attention. The British have equipped their fliers with tiny radios that send out automatic SOS signals in an emergency. Something along this line might save American lives. At any rate, further safety measures seem to be needed.

Same old story:

Filibuster may go on and on

News P. 1
Jun. 7-21-57
By Hugh Sparrow
News staff writer

MONTGOMERY, Ala., July 20 — The Legislature goes back into action Tuesday to begin a week which can—and probably will—set the pattern and tempo for the balance of the 1957 session.

Developments during the week should answer these questions which apparently have a bearing on the future course of the Legislature:

1. Will the ever-recurring filibuster continue to deadlock the Senate as it has during 10 of the 20 legislative days of the present session?
2. Will the House give speedy attention to the compromise competitive bid measure a special order for the 22nd legislative day, which will be Friday?
3. Does the so-called "little man" have an interest in what is decided about a pending bill barring corporations from deducting amounts paid in federal income taxes in computing the net income for state taxation?

Answers are guesses

ANSWER TO Question No. 1 is largely guesswork. But most of the guesses indicate the Senate filibuster in its varying forms will linger on.

There may be times when opposing factions accept a truce long enough to permit passage of local bills or, perhaps, to pass a few emergency general measures. Nevertheless, the outlook for a permanent ending of the filibuster, or even the milder slowdown, is not good.

All are in act

NOT JUST one or two senators or one or two groups are responsible for the recurring delays.

Administration forces have been active in promoting or giving aid to filibusters, slowdowns and the like. The Black Belt has been equally active in using delaying devices. Opponents of the legislation to speed up civil court procedure in Alabama likewise

have been in on the slowdown act. Opponents of increased salaries for judges and others have been active, too.

In other words, the Senate has been split wide open by factions bent on blocking one or several measures.

Want military gravy

ALTHOUGH a compromise reportedly has been worked out which should remove administration pressure against passage of the competitive bid measure, administration forces are still dead set against one other bill.

It's the pending bill strictly regulating the Military Department. It would stop long standing and costly abuses in connection with expenditures for active military duty pay.

At present the governor or the adjutant general may call anyone in the National Guard or in the militia to active military duty. When thus called into action the officer or enlisted man is paid according to his grade or rank, plus expenses.

Administration men have been heavily benefited by being called into active duty. Often the service to be rendered is trifling. A number of Folsomites hold state offices or jobs. When called into active service they continue to receive pay for their jobs plus active military service pay.

Not only have many Folsomite office holders been benefited from time to time by supposed active military service but there have been still other abuses.

There are cases in which Folsomites have been holding down jobs of a non-military nature and have been paid indefinitely out of the active military service fund.

The pending bill would put definite restrictions on active military service and would prevent most of the abuses now prevalent.

Because there is sentiment in the Senate for passage of the bill, administration forces can be counted on to filibuster.

Reapportionment bills

PENDING on the Senate calendar are several reapportionment bills. At least two would put reapportionment into effect without amending the constitution. In other words the bills themselves would reapportion the House and Senate.

Black Belt senators admittedly would be willing to stall the Senate indefinitely, if necessary to block reapportionment.

Several senators, including Sen. Albert Davis of Pickens are equally determined to pre-

vent passage of the so-called court reform measure. They make no bones about being willing to immobilize the Senate from now on out, if need be, to prevent passage of the court measure.

A number of Upper House members are anxious to bring before the Senate a measure of particular benefit to education. It would permit counties and school districts to hold elections on the question of increasing the ad valorem tax rate for schools.

More recently there have been filibusters to block passage of the many pay raising bills on the Senate calendar.

Reportedly there are at least a dozen bills now pending which could cause further filibusters.

It sometimes happens that one or more senators interested in killing the other fellows' bills find the tables turned on them. In other words, while filibustering to kill one or more bills they dislike, other senators often are using the same methods to kill bills they favor.

But it does not prevent the filibustering from continuing.

It is, in fact, quite a complicated situation. Chances are there will be more filibustering from now on to the thirty-sixth legislative day.

Bid bill compromise

IF THE administration should back down on the bid bill and decline to go along with the compromise, it would stir up a bitter controversy in the House. Probably it would cause retaliatory action against administration measures.

Backers of the bid measure who consented to the compromise say the governor has agreed to accept the measure. But for some unexplained reason the governor has not yet stated openly that he would support the compromise substitute.

Therefore, it may be that the answer to Question No. 2 will not be known until Friday. If the governor rejects the substitute it could have a definite effect on the pattern and tempo of the session.

Tax agreement

AT THE START of 1957 the one thing most legislators and the governor was agreed upon was there would be no new or increased taxes.

Last Tuesday a group of House members tossed a new tax proposal into the House hopper.

It would deny to corporations the right to deduct amounts paid in federal income taxes in com-

putting the net income on which they pay the state tax.

Proponents estimate the bill would produce \$11 million annually for the Alabama Special Education Trust Fund.

The same sort of tax gimmick—applying to both corporations and individuals—was proposed during the 1955 legislative session. It was brushed aside by school forces, however, in favor of the supposedly more lucrative Goodwyn income tax amendment.

A group reportedly representing Alabama industry will confer with the House ways and means committee here Monday. At that time, it is reported, industry spokesmen will say whether industry will be willing to accept the new tax.

Action on this measure could definitely have repercussions.

Alabama taxpayers generally should keep an eye on developments in connection with this proposal for this reason:

If such a tax is imposed on corporations now it might not be long before a move would be made to impose the same levy on individuals.

It would be easier to apply the tax to individual income tax payers if industry already has been harnessed with it.

No living name

DURING THE 1930s the Legislature passed a bill providing that no state bridge or public building could be named after a living person.

The action was taken as a result of criticism of Gov. Bibb Graves. Several buildings on college campuses and at least one bridge built during Graves' first administration were named after Graves.

Neither Gov. Dixon nor Sparks attempted to get around the law banning naming bridges and buildings after living persons.

In 1953 Gov. Persons released more than \$1 million in state highway funds to pay a large part of the cost of the toll bridge linking Dauphin Island and the Mobile County mainland.

Because the act prohibited naming public bridges after living persons, the bridge was designated a "seaway"—"The Gordon Persons Seaway" that is.

Recently two bills were passed by Limestone County's lawmakers. One proposed to change the name of the Fort Shelby Fletcher Armory in that county to Fort James G. Dement. The other authorized the naming of a new bridge across the Elk River—"The Grisham Bridge."

Rep. James M. Dement, who sponsored both bills, said it was not named after him but after an ancestor. The same thing was said by Limestone's Sen. Milton Grisham. Nevertheless, the

names of those honored are so closely similar to the legislators passing the bills that it should make little difference.

The late Shelby Fletcher, in whose honor the Limestone County armory was originally named, was one of Alabama's outstanding legislators.

He represented Madison County in the Senate during the Miller administration and made a number of contributions to the cause of good government. Among other things, he sponsored the state's excellent budget law.

Apparently his memory well deserved the honor—while it lasted.

Among bills introduced in the House Tuesday was a measure sponsored by Clarke County's two House members.

It would set aside the law against naming state bridges and buildings at least so far as one living person is concerned. The bill proposed to name the new bridge spanning the Tombigbee River at Coffeeville, in Clarke County, "The James E. Folsom Bridge."

Gregory's decision

REP. LOWELL GREGORY'S decision to offer another bill in place of the controversial measure abolishing the Blount County Board of Education and the office of county superintendent apparently will be a relief to many House members.

Under the legislative courtesy rule they would have been honor bound to support the controversial proposal.

Apparently the latest Gregory bill will handicap just one person, H. C. Blackwood, now a member of the Blount County Board of Education from District No. 5 and board chairman.

The new proposal does not affect the tenure of County Supt. Clyde Blackwood.

It provides that all five board members shall have to offer for reelection in 1958 instead of 1960. Four of the five, however, would have to run only in their districts.

The fifth member—Board Chairman Blackwood—would have to run in the county at large, instead of from the Fifth District.

Fighting The Filibuster

From The New York Times 57

New life to the movement to restore democracy with a small "d" to the Senate of the United States has been given by two unexpected developments in the fight against the filibuster. It now appears that there may actually be a chance to curb this weapon, the very threat of which has paralyzed Senatorial freedom of action for so many years. *B'ham, Ala.*

One hopeful factor is the astonishing size of the vote last week against killing a proposal to consider changes in the Senate rules. No fewer than thirty-eight Senators—eighteen more than in 1953, when a similar motion was defeated—opposed the move of the Democratic and Republican leadership to continue with the same old rules under which it is almost impossible to shut off a filibuster. If two absentees and Senator-elect Javits had been present, the opposition to the leadership would have numbered 41—22 Democrats and 19 Republicans. In other words, a switch of only seven or eight votes would have done the trick. This is too close a margin for the comfort of the reactionary Southern Democratic, Midwestern Republican coalition that has held sway in the Senate for so long. It spells the end of the rules protecting and nourishing the filibuster—if not at this session, then surely in the relatively near future.

The other new and encouraging factor is the opinion that Vice President Nixon gave from his chair as presiding officer of the Senate. In answer to a parliamentary inquiry, the Vice President held in a precedent-setting opinion that under the Constitution a majority of the Senate has the right to adopt new rules "at any time." As we suggested on this page last month, the language of Article I, Section 5—"Each House may determine the Rules of its Proceedings"—plainly means that each Senate has the right to adopt new rules or revise the old ones if it wants to.

If this is so, then what we called the "built-in filibuster machine" of Rule XXII, forbidding any curtailment whatsoever of debate on a motion to consider changes in the rules, is invalid. That is the way the Vice President sees it, and we think he is right. Under the special arrangements cooked up by the majority leader last week, a test of this issue did not directly arise; but it surely will when the question is debated again. The Vice President's opinion, while not necessarily binding, is of great importance in opening the way to a change in the rules, which can only mean a weakening of the heretofore unassailable bulwark of the filibuster.

Plot Filibuster To Block Rights

By ROSE MCKEE

WASHINGTON — (INS) — Cough drops, orange juice and prized family recipes likely will make news in the Senate this month if the filibuster against the civil rights bill lives up to its advance billing.

Senators participating in a talkathon to kill a bill always have reached far afield for something to talk about for 10, 15, or 20 straight hours. Family recipes, including oratorically embroidered instructions for "pot likker," have been among their favorite topics.

Going without food for such long stretches, even when not talking about onions and black-eyed peas, is no joy. Filibustering lawmakers have sustained themselves by sipping a little orange juice or black coffee. When they have munched a cheese sandwich or a candy bar between words, it was news.

RIGHTS BATTLE

The civil rights battle was scheduled to break out on the floor Monday although it may be a week or more before the Senate goes into continuous session.

Major civil rights bills have been killed by filibusters since 1922, but the talking-to-death weapon has been used for more than 100 years and against a sweeping range of controversial issues.

One of the early filibusters was staged in 1841 over ousting the Senate's own printers. In 1846, a filibuster against the Oregon boundary bill tied up the Senate for two months.

Other famous filibusters developed against establishing the Bank of the United States in 1846, repealing existing election laws in 1879, purchasing silver in 1893, against a rivers and harbors bill in 1913, Panama Canal tolls also in 1913, and against the ship purchase and subsidy bill in 1915.

also said that the critical Dixie Rights Bill "in order that it may be clearly understood."

President's Statement

In this connection, they are expected to seize on a statement of President Eisenhower at his news conference Wednesday. Mr. Eisenhower, who had been plugging the bill as fair and moderate, said then that he had been reading parts and "there were certain phrases I didn't completely understand."

The President made the statement in a discussion in which he also said he found it "rather incomprehensible" that highly respected men have described the bill as extreme and leading to disorder.

Senator Russell has so described it. He contends the legislation is a device contrived to force racial mixing on the South. President Eisenhower and other supporters describe it as primarily intended to make sure that no citizen is deprived of his right to vote.

After the bill is called up Monday, the first speaker against it is expected to be Sen. Ervin (D-N.C.).

Russell emphasized that, while he wants to modify the bill, his goal is still to kill it.

CIVIL RIGHTS BATTLE MAY OPEN CALMLY

Senator Ervin Will Be First

Opposition Speaker
FILIBUSTERS POSSIBLE

By The Associated Press

WASHINGTON, July 4. — The civil rights battle in the Senate, due to open Monday, may begin with considerably less force than a filibuster.

This became apparent today in the wake of statements by Senator Russell (D., Ga.) that Southern opponents do not plan, at the outset, to make speeches of unusual length.

Mr. Russell, leading the opposition, also said that the critical Dixie senators nevertheless would speak on different phases of the Administration's Civil

the portions of the bill "which I regard as being most objectionable and most vicious, and that the time may come when, after full and fair debate, the Senate may proceed to vote on amendments to the bill."

Mr. Russell emphasized that, while he wants to modify the bill, his goal is still to kill it.

Civil Rights Bill To Remain Threat Despite Filibuster

WASHINGTON, July 2. — President Eisenhower's House-passed Civil Rights Bill apparently will remain in a threatening position even if a Dixie filibuster prevents Senate passage this year.

Under Senate rules, the parliamentarian advised The Commercial Appeal Tuesday, the bill will remain on the Senate calendar and can be called up again next year.

It would have the same status next year as it now has—it would be on the Senate calendar but not before the Senate.

The bill's backers are expected to move next Monday, or shortly thereafter, to take the bill from the calendar and place it before the Senate.

Trigger Filibuster
This motion, which probably will be made by Senate Republican Leader William Knowland (R., Calif.), will trigger a Southern filibuster.

Except through physical exhaustion, a filibuster can be ended by cloture. That requires the affirmative votes of 64 of the 96 senators.

If after a period of time the bill's backers try to obtain cloture and fail, the bill then would be laid aside for this year.

It thus would remain on the Senate calendar and eligible for another effort next year. The same motion would be in order next year—to remove it from the calendar and place it before the Senate.

Once the bill is placed before the Senate, a second motion must be made for final passage. That also is subject to filibuster—and a cloture effort.

Thus the bill's backers will have to shut off two filibusters to pass the bill.

And once it is removed from the calendar and placed before the Senate—the first of the two steps required for passage—it will be subject to amendment.

Amendment Possible
Dixie leaders believe they can

IKE STATEMENT EYED

Times-Union

Rights Bill Battle May Open Mildly

Jacksonville, Fla.

WASHINGTON, July 4 (AP)—The civil rights battle in the Senate, due to open Monday, may begin with considerably less force than a filibuster.

This became apparent today in the wake of statements by Sen. Russell (D-Ga.) that Southern opponents do not plan, at the outset, to make speeches of unusual length.

Russell, leading the opposition, also said that the critical Dixie senators, nevertheless, would speak on different phases of the administration's civil rights bill "in order that it may be clearly understood."

Phrases Cloudy

In this connection, they are expected to seize on a statement of President Eisenhower at his news conference Wednesday. Eisenhower, who has been plugging the bill as fair and moderate, said then that he had been reading parts and "there were certain phrases I didn't completely understand."

The President made the statement in a discussion in which he also said he found it "rather incomprehensible" that highly respected men have described the bill as extreme and leading to disorder.

Russell has so described it. He contends the legislation is a device contrived to force racial mixing on the South; Eisenhower and other supporters describe it as primarily intended to make sure that no citizen is deprived of his right to vote.

After the bill is called up Monday, the first speaker against it is expected to be Sen. Ervin (D-NC).

Ervin, through committee hearings and otherwise, has hit hard at the fact the bill does not guarantee a jury trial for anyone charged with disobeying a judge's injunction issued under the proposed law.

Ervin says this is a denial of a vital right of a man to have his case heard by a jury, rather than by a judge alone. The Justice Department response to this has been that there is no constitutional right to a jury trial in such cases; others backing the legislation have contended Southern juries wouldn't convict in such a proceeding.

Two possible filibusters confront

the bill—one as soon as known, and the other on the bill itself.

However, there were indications the Southerners might pass up the chance to filibuster the motion to call it up, if an agreement can be reached to modify the bill.

New York Times, Daily World, Herald Tribune

Hit Filibuster

NEW YORK (NNPA) — The New York Times Friday called the proposal of Senator Richard B. Russell, Democrat, of Georgia, for a national referendum on the Eisenhower Administration's civil rights bill "just a nationwide filibuster."

In a curtain raiser to the Senate floor fight over civil rights, Senator Russell last week said he will offer an amendment to the bill providing for a national referendum. There is not constitutional provision for referendums.

Under the heading, "Mr. Russell's Referendum," The Times commented on the proposal as follows:

"President Eisenhower didn't take long to dispose of the suggestion made by Senator Richard B. Russell of Georgia that the pending civil rights program be 'submitted to the people of the North and west in a clear-cut and fairly presented plebiscite.'"

"As he explained in reply to a question at his press conference, the President was unable to find any provision in the Constitution that would provide for such a referendum."

"The truth is, of course, that the Russell referendum proposal was dead as soon as it was born. The Georgia Senator seems to regard the pending legislation as a preliminary to another march of an invading army from Atlanta to the sea."

"The point that might be made does not touch on civil rights so

much as on Senator Russell's charge that at least a portion of the American press and at least a portion of the other agencies of public communication have been guilty of a campaign of deception as to what his (civil rights) bill proposes to accomplish."

"It is ridiculous to assume that a national referendum would produce a freer and fairer discussion than will be produced by an attempt to push civil rights legislation through Congress in the usual way."

"If the Northern and Western sections of the press are capable of choking off discussion on a subject that is before Congress they could be just as effective if the subjects were tossed out to be decided by an appeal to the mass of the voters."

"The referendum proposal does not make sense. Nearly sixty years of experience with the referendum

in the states has left a difference of opinion as to how democratic it—and its twins, the initiative and the recall—really are."

Daily World TRIBUNE COUNTERS

NEW YORK (NNPA) — The New York Herald Tribune of July 4 said editorially that President Eisenhower had given a death blow to the proposal of Senator Richard B. Russell, Democrat, of Georgia, that a referendum be held on the Administration's civil rights bill.

Under the heading, "Civil Rights Plebiscite?" The Herald Tribune said:

"... It remained for President Eisenhower to give the plebiscite proposal a logical coup de grace by remarking at his press conference that, no matter how the country might vote, it would not and could not change decisions already made by the courts."

"It was the Supreme Court which originally ordered the desegregation of schools."

"That perhaps the most deep-seated objection to a plebiscite of this kind is that it diminishes the democratic institutions of representative government."

"The American people elect men who they believe are best qualified to judge and decide the questions which are likely to confront them."

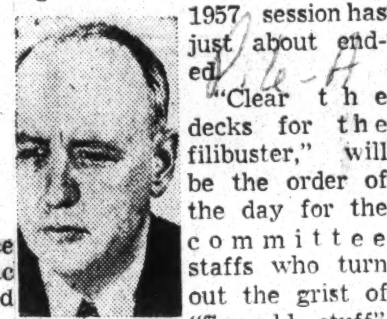
"It was obvious in the last election, for instance, that the civil rights issue would shortly confront Congress. It is doing so now and its fate must be decided there."

"This was the reasoning of the framers of the Constitution, and it should be our reasoning today."

Civil Rights Filibuster Stage Set for Senate

Herald Tribune, Miami, Fla.
By JAMES M. HASWELL
Of Our Washington Bureau

WASHINGTON — A great many Congressmen will return to Washington Monday thinking the routine work of this



HASWELL

1957 session has just about ended. Clear the decks for the filibuster," will be the order of the day for the committee staffs who turn out the grist of "small stuff" which is Congress' day-to-day occupation. Senate committee staffs have been notified to get their "small stuff" to the Senate floor Monday and Tuesday.

For all practical purposes, this signals the working end of a legislative session. Bills left in committee will go over until next January, and bills passed by one house will remain in suspension until then.

Present plans are that when the Republicans call up the civil rights bill, the pro-civil rights majority of the Senate will insist on debating that bill without interruptions. Interruptions would only prolong the debate, and stretch out the expected filibuster.

Consequently, once the Senate starts talking about civil rights, the ordinary business of Congress will come to a halt. The House may, in fact, go home. Some of the pro-civil rights Congressmen favor this course. They think it would center the country's attention on the doings in the Senate.

The House machinery is run, however, by Southern Democrats. These people want to hold the House in session to divert popular attention from the Senate endurance contest, and to emphasize the volume of work which the civil rights debate is blocking.

Some of the House commit-

tee chairmen are demanding that the controversial bills kept in committee, such as the school aid bill, and the natural gas bill, be brought out for House action.

Opening days of the coming filibuster are likely to be colored by attempts of senior House Democrats to get the pro-civil rights majority of the House to go along with these plans to divert attention from the filibuster.

But if the House decides to step aside, and let the Senate show go on without headline competition, it probably will take a series of three-day recesses during late July and August.

The filibuster situation comes about because pro-civil rights leaders can muster 45 votes easily but find 64 votes hard. The 45 votes can compel the Senate to devote its attention to civil rights, but the 64 votes will be needed to bring the issue to a vote.

The tactic is to halt everything, pin the nation's attention to this one issue, and create a public opinion that will bring some of the wavering senators into line.

First 'Rights' Vote In Senate Tuesday

Friends, Foes Agree to Test on Taking Up Issue

By Robert C. Albright
Staff Reporter

The Senate yesterday unanimously agreed, without a filibuster, to a leadership proposal to vote around 6 p. m. Tuesday on a motion to call up the Administration's civil-rights bill.

The agreement signaled the end of only the first leg of the epic marathon, but it was the most advanced stage reached by any civil rights bill since reconstruction days.

The talkathon has been temporarily delayed, but not abandoned. It is expected to blossom forth, in more or less familiar dress, once the Senate gets the bill formally before it. Lyndon B. Johnson of Texas, Senate Democratic leader, congratulating the Senate on the dignity and thoroughness of its debate up to now, put forward the unanimous consent request to vote Tuesday in the name of himself and William F. Knowland (Calif.), Republican leader.

Russell Calls for Fairness

Sen. Richard B. Russell (D-Ga.), spokesman for the Southern Democratic caucus, agreed to go along with the request, but made an unusual appeal to the Senate to "deal fairly" with the South when the time comes to consider amendments.

Russell, who caucused on the question with Dixie colleagues early yesterday, said the Southerners had been urged to "act as responsible men." He said he wanted to make the same appeal to Senators from other sections.

Some, he said, regarded the civil rights issue as an "abstract question," others as "political"; but Southern Senators, he said had to live with it. He urged colleagues to deal with the Southerners as they themselves would like to be dealt with.

The Johnson-Knowland unanimous consent request provided for an unusual Saturday session, with the Senate meeting at 9:30 a. m. and sitting late, and another stretch-out session on Monday, to permit some 15 more Senators to speak.

Vote Due Late Tuesday

A quorum call will be ordered at 4 p. m. Tuesday, and after that the debate would be limited to two hours, divided equally between proponents and opponents of the bill. The vote would come at the end of this wind-up debate, shortly after 6 o'clock.

In propounding the voting request, Johnson told the Senate it is "on trial" now and appealed for continuation of the recent "high level" debate. "Members have conducted themselves as Senators, not as bitter partisans," he said. "This may disappoint those who were looking for a bitter and bloody brawl, but it will not disappoint the American people."

Johnson conceded the debate will "necessarily be lengthy" but said the people "expect us to put the national interest above partisan interest and I have every confidence we will."

Knowland, head of a civil rights coalition of Republicans and Southern Democrats constituting a majority of the Senate, sat silently while Johnson did the talking.

The California Republican then said he concurred in the agreement put forward by Johnson. He thanked Russell

and others for their cooperation in getting a vote on the motion to call up the bill.

Johnson, he urged Senators to remain within easy reach of the Senate floor during the day and night sessions.

Early yesterday Knowland had breakfast with President Eisenhower at the White House and told reporters leaving that Mr. Eisenhower is not wavering in his support of the Administration bill.

Denying charges by Northern Democrats that the President has been backing away from his original firm stand, Knowland said: "The recommendations of the Administration are still its recommendations."

He said the Presidents never has taken the position that there should be no clarifying amendments, however, and that neither has he.

The Southerners continued to hit the bill with some of their best legal talent.

Sen. John Stennis (D-Miss.) told the Senate it was "put together by a crafty and designing lawyer" and charged it contained at least 10 "revolutionary departures from sound and accepted legal principles."

Instead of writing a modern voting rights statutes, he said, whoever wrote the bill "set out to revive all the old Reconstruction statutes. Further, he sought to put new life in them and clothe them with injunctive power of the Federal court."

He said he was amazed that labor leaders supported a bill denying jury trials to persons accused of violating court injunctions, after labor's experience with "Government by injunction."

Sen. Herman E. Talmadge (D-Ga.) told the Senate the bill not only will deny the right of trial by jury but also the right to confront and cross-examine accusers in civil rights injunc-

Czar Feared

"It will have the net effect of completely changing our form of Government from one under which rights are inalienable with the individual to one under which rights are arbitrarily determined by the Attorney General," said Talmadge.

"It will make the Attorney General a Czar of civil rights superior even to the Constitution."

Sen. Wayne Morse (D-Oreg.) served notice that he will move next week to send the bill to the Judiciary Committee for a two-week study and report. Morse argued that the Committee has never held hearings on the House bill before the chamber, and the Senate is at a disadvantage in not having before it a committee report.

Sen. John O. Pastore (R-R. I.) replied that the Senate bill on which a subcommittee held extensive hearings is practically the same bill now before the Senate. He said the Judiciary Committee "sat on" the Senate bill for six months and told Morse: "We (civic rights forces) have retreated and retreated and retreated until our backs are almost against the wall."

**Senate Hits
Filibuster,
Stall Snags
Three Bills Passed;
Calendar Business**

Still Unfinished

By GEORGE WHITTINGTON

Senate administration forces yesterday backed off one filibuster action and bounced into another that kept the upper chamber bogged for two hours and 20 minutes.

Senators finally quit after passing three bills, allowing 15 more to be dropped in the hopper, and never reaching unfinished business on the calendar.

The fat began bubbling when the Rules Committee, in what members claimed was a compromise move, refused to advance the judicial reforms bill and put up three pay raise bills instead.

A move got under way immediately also to move up a controversial military reforms bill and another to allow school districts to broaden their tax power for schools.

But before that could get moving, Sen. A. C. Shelton of Jacksonville began his own talkfest against the raises. While supporters of the military measure marshalled forces for a longer filibuster, it became clear that little could result from the session.

PICTURE CLOUDED

To further cloud the general picture, Sen. Albert Davis of Aliceville demanded an "at length" reading of all measures. Davis has held up action on the judicial reforms bill by a compromise setting it back to the 22nd legislative day.

Administration leaders in the Senate admitted that Gov. James E. Folsom had recommended it be brought up, since the calendar shows no postponement. But when he found that Rules Committee Chairman G. Kyser Leonard of Talladega was pledged to the compromise, he backed off.

In the session during which senators were permitted to introduce bills out of order, Sen. E. L. Roberts of Gadsden came up with a stronger measure on libel suits against newspapers and magazines published in the state.

With a shadow of constitutional doubt cast over the first bill by the fact that it changed the laws involving only newspapers of more than 40,000 circulation, he removed all limits in his new proposal.

RESOLUTION OFFERED

Whereas the law now provides that a newspaper can be sued only in the county where it is published, his proposal would allow them to be sued in any county in which they are circulated.

Roberts also offered a resolution asking for a Supreme Court ruling on the earlier proposal.

That resolution was forced on Roberts by members of his own Judiciary Committee, spurred on by Sen. Richmond Flowers of Dothan.

Sen. Sam Engelhardt of Shorter also came up with a strong new bid to clip the wings of pro-integrationists. Establishing barratry as a crime, it would set stiff penalties on any organization or individual instigating lawsuits or "stirring up litigation," unless such is justified.

A companion bill would provide for the disbarment of any attorney found guilty of participating in such action.

Engelhardt admitted the measures are aimed at Negro organizations instigating integration suits.

While Shelton's short-lived and often interrupted filibuster kept action to a minimum, it probably wouldn't have been necessary had the military bill backers won their point.

Administration forces would have filibustered that, since it is unacceptable to them. They first introduced the measure, killed it in committee, and then found it back in the hopper when Sen. Joe Davis of Lowndes reintroduced it.

The measure would drastically revise National Guard and Armory Commission rules, and place sharp limitations on the powers of the governor in relationship to the Guard.

At one point in Shelton's talking, he yielded the floor to Sen. Flowers, assistant floor leader, without asking Flowers' purpose. The Dothan senator promptly introduced a bill to raise the pay of the State Highway Director from \$10,000 to \$18,000 annually.

While the Senate flailed in a quagmire, the House took its usual Friday course of calling up only non-controversial measures and getting them out of the way.

However, with a personal assist from Gov. Folsom, who made the House floor rounds on a handshaking tour, it passed out two of

his river development measures.

One calls for a constitutional referendum on a \$10 million bond issue for inland docks, while the second would enable the expenditure of three of those millions. The latter was amended by Rep. E. B. Haltom Jr. of Florence, to provide that the bonds be sold at public auction.

Rep. N. S. Hare of Monroeville, author of the Judicial Reforms bill to which Sen. Davis objects—on grounds the rules are to nearly those used in federal court—also introduced a bill drafted to meet some objections to his original measure.

The measure would spell out the Supreme Court's rule-making authority and would set up an eight-man interim committee to work with the court in solving problems posed by the new rules.

Rep. Lowell Gregory of Oneonta also introduced a controversial local measure which would permit the governor to appoint a new Blount County school board as well as a superintendent of education.

Gregory was hanged in effigy in mass meetings in his county after advertising the bills.

A bill by Rep. A. L. Killough of Honoraville, to allow gifts of securities and money to minors through custodians who would be authorized to reinvest and manage such properties was passed and sent to the Senate.

South's Senators See Opening for Change in Rights

Dixie Rally To Decide on Move Today

By ALBERT RILEY
Constitution Washington Bureau
WASHINGTON, July 15 → In

their fight against the civil rights bill, Southern senators may seek early votes on amendments before filibustering against the bill itself.

This Dixie strategy appeared to be shaping up today as the Senate began clearing the decks for a vote late Tuesday on a Republican motion to take up the bill.

Having launched an effective attack on the bill and put its proponents on the defensive, some Southerners seem to feel that it would be wise to push early for amendments before an expected Northern counterattack gets up steam.

ERVIN FAVORS PLAN

Sen. Ervin (D-NC) said he favored this course. And along with Georgia's Sen. Russell, he is one of the top Dixie strategists.

Confronted with unmistakable signs of a Northern counteroffensive, the Southerners would like—if they can—to quickly get amendments limiting the bill to a right-to-vote measure, with provisions for a jury trial.

They have scheduled a caucus tomorrow morning to plan their campaign of action.

While the week-long preliminary debate slowed down on the Senate floor, strategy talks and

behind-the-scenes maneuvering seemed to point more than ever toward an eventual compromise.

REAL CONTRIBUTION

Senate Majority Leader Lyndon Johnson (Tex), striving mightily to avoid a bitter North-South explosion, pointedly commented that several amendments proposed by Westerners and Southerners have made a real contribution to the debate thus far.

And the Dixie forces got unexpected but welcome support from Sen. Anderson (D-NM), who favors the bill but proposed an amendment to strike Part III from the measure.

This is the section of the bill that Sen. Russell and other Southerners have attacked as one permitting the federal government by injunctive processes to force racial integration in the South.

CERTAIN ADOPTION

The debate on the motion of Republican Leader William Knowland (Calif) to call up the bill is scheduled to end between 4 p.m., and 6 p.m. Tuesday when the Senate will vote on the motion.

The motion to take up the bill is certain to be adopted, and it likely will be followed by a motion from Sen. Morse (D-Ore) to send the bill to the Judiciary Committee for further study.

Morse's motion is not expected to prevail, however. He favors the bill but has argued the Senate should not have bypassed the Judiciary Committee with the House bill in the first place, in violation of normal Senate procedure.

It might be smart for the Southerners to try to amend the bill while the tide is in their favor.

They may have learned a lesson in the Senate from what happened in

the House.

DELAY BOOMERANGS

When Southerners in the House delayed a vote on the jury trial amendment, their delaying tactics boomeranged when the White House put pressure on the Republicans and defeated the jury trial proviso.

Southerners in the House afterward conceded that they might have won the jury trial guarantee if they had voted on it a week earlier.

If in the Senate the Dixie bloc could quickly push through restrictive amendments, they still could filibuster later against the bill itself.

In the present conciliatory mood of the Senate, there were signs that a full-scale filibuster might not begin this week.

24-HOUR SESSIONS

Knowland indicated today that he might wait a while before calling for 24-hour legislative days in an effort to break a Dixie talkathon against the bill.

And Knowland, who at one time was talking about a fight lasting into mid-September, also indicated he thought the issue now may be resolved by mid-August.

However, Knowland also said today that the Eisenhower administration would oppose striking from the bill the entire Part III.

Meanwhile, on the jury trial issue, Russell again took the floor today to attack a Northern argument that Southerners need not be afraid to trust Southern federal judges in civil rights con-

ttempt cases because most of those jurists were born in the South.

They may have learned a lesson in the Senate from what happened in

Russell said he has taken note of Northern surveys on the nativity of Southern federal judges and had started an investigation of his own into the birthplaces of Northern federal judges.

However, the Georgian commented with some sarcasm that he was abandoning his investigation and would not want to push that argument further.

It might, he said, lead to a silly proposition that since most all federal judges are born in the localities they serve they could be counted on to mete out justice and that all jury trials ought to be abolished.

SELF-STYLED LIBERALS

Russell also chided "self-styled liberals" in the Senate who, he said, have to pin a badge on themselves every morning proclaiming themselves to be liberals.

The really great liberals in the Senate of a bygone era—like LaFollette, Norris and LaGuardia—didn't have to pin such a tag on themselves, Russell said. And they were men who fought for labor's right for jury trials in contempt cases.

The Georgia senior Senator thus joined Sens. Holland (D-Fla), and Long (D-La), in a Southern attack that continued today with unabated vigor but with some slowing of tempo.

Georgia's Sen. Talmadge made a quick trip to Montgomery, Ala., along with Sen. Sparkman of that state, to attack the bill in a speech before an American Legion convention. They were due back here tonight for tomorrow's vote.

Senate Committee Meets Today on Civil Rights Bill

By the Associated Press

Senate Judiciary Committee members today face the question of what to do about civil rights legislation now that the Senate has voted to keep a House-passed bill out of their hands.

Senator Eastland, Democrat of Mississippi, the committee chairman, opposed to civil rights measures, said in advance he would make no prediction on what might happen at the closed-door meeting.

The bill passed by the House last week was put on the Senate calendar through an unusual parliamentary maneuver. Some supporters of civil rights legislation are none too happy about

injunctions against violations of what he interpreted as threatened violations of such rights.

Because of the inaction of the Senate committee, Senate Republican Leader Knowland of California invoked a seldom-used Senate rule to place the House measure directly on the Senate calendar and thus bypass the Judiciary Committee.

The Senate upheld this procedure, 45-39, last Thursday despite the protests of Senator Russell, Democrat of Georgia, leader of the Dixie forces, and others who contended it would undermine the Senate's committee system of considering legislation.

While any Senator now can move at any time to call the House bill up for debate, an agreement has been reached among the leaders not to try to do so before July 8.

Ellender Threatens Filibuster

Senator Ellender, Democrat of Louisiana, served notice over the week end that any motion to take up the measure "will bring forth prolonged debate—to be blunt, a filibuster."

Two leading supporters of Civil Rights Legislation, Senators Ives, Republican of New York, and Case, Republican of New Jersey, took opposing views on the outlook.

Senator Ives said he didn't believe it was going to be possible to get the bill passed over a Southern filibuster. But Senator Case said he believed "we can get the 64 votes necessary" to back a filibuster.

the short cut taken by the Senate on the House bill, however. They have indicated they still would like the Senate committee to report out a bill of its own.

The civil rights legislation has been stalled in the committee by its Southern opponents ever since March 19 when a subcommittee approved, 4-2, a measure that closely parallels the House bill.

Power Given Attorney General

In general, the civil rights legislation backed by the Eisenhower administration is designed to protect voting and other rights. The chief new weapon would be power for the Attorney General to seek Federal Court

EISENHOWER BACKS CIVIL RIGHTS BLOC OPPOSING JURIES

Knowland's Attempt to Set Vote on Amendment Is Blocked by Russell

FILIBUSTER PLAN DENIED

Rancor Is Evident for First Time as Senators Object to Californian's Move

Transcript and summary of news conference, Page 10.

By WILLIAM S. WHITE

Special to The New York Times.

WASHINGTON, July 31—

President Eisenhower reiterated today his opposition to the inclusion of any jury-trial provision in the Administration's civil rights bill.

The President thus came to the assistance of a predominantly Republican Senate coalition that is trying to beat off efforts to grant the right of trial by jury in criminal, though not civil, contempt cases arising from violations of Federal civil rights injunctions.

The chief of this all-out civil rights bloc, Senator William F. Knowland of California, failed in an effort to set a vote on the amendment.

His requests for unanimous consent to vote tomorrow, or Friday, or Saturday, were blocked by Senator Richard B. Russell, Democrat of Georgia.

Mr. Russell is the leader of Southern forces that have made jury trial protections in criminal contempt cases their irreducible demand.

Denies Filibuster Intent

He disclaimed any Southern

intention to kill time and accused the all-out civil right bloc of attempting to raise false suggestions that the Southerners might be preparing a filibuster.

Mr. Russell said that in nearly four weeks of debate the Southerners had not resorted to the filibuster—a tactic of time-killing and irrelevant discussion intended to prevent a vote.

He disclaimed, as well, any such purpose for the future.

He declared it "entirely possible" that the Southerners might agree to vote by tomorrow night. But, he said, they would never consent to fixing the test so long as "a single Senator on either side of the issue" wished to be heard.

The Democratic Senate leader, Lyndon B. Johnson of Texas, observed that Senator Knowland was attempting to fix a time for voting before the authors of the amendment had had opportunity to discuss it from the floor.

Rancor in the Air

For the first time since the debate opened there was a spirit of rancor in the air.

For a second time, Senator Wayne Morse, a member of the all-out civil rights bloc, blocked efforts to have the Senate put civil rights aside long enough to act on emergency legislation of other kinds today.

This action could be taken only by unanimous consent.

Mr. Morse, a liberal Oregon Democrat, refused because the pro-jury trial bloc would not agree to set a vote on that issue, even two weeks from now.

Mr. Morse maintained his position in the face of assertions from other Senators that he was taking the responsibility of halting disaster relief loans and of stopping the pay checks of men in the armed forces.

New Efforts Planned

Further efforts to get through this emergency legislation will be made tomorrow.

The situation was further embittered by a repute between Senators Knowland and Johnson, who had been working in harmony on procedural matters as the two party leaders.

Senator Johnson, annoyed by Senator Knowland's efforts to fix a vote on the jury plan, was

further angered at Mr. Knowland's suggestion that the Senate should hold longer sessions.

Such questions are primarily the responsibility of Mr. Johnson as the majority leader. He observed that it was premature to speak of closing the debate while many Senators were waiting to be heard.

He suggested that the three liberal Democratic sponsors of the jury trial amendment, Senators Joseph C. O'Mahoney of Wyoming, Estes Kefauver of Tennessee and Frank Church of Idaho, had "better get their names on the list quickly."

Administration Plan

The Administration's text would operate in this way: Federal prosecutors, with or without the consent of the victim, could obtain injunctions against actual or threatened deprivation of the right to vote. Persons refusing to obey these writs could be fined or imprisoned for contempt by the judge without a jury trial.

The O'Mahoney-Kefauver-Church amendment would permit this procedure for civil contempt, but would guarantee jury trials for criminal contempt in civil rights and in all other Federal cases.

The sponsors illustrate the distinction between the two types of contempt as follows:

If an election official refused to obey an injunction to register a qualified Negro he could be sent to jail, but could effect his own release by agreeing to perform the act ordered.

This would be an instance of civil contempt, where the purpose of the judge was not punitive, but simply to implement an order of the court.

If an official or private citizen wilfully obstructed a court order, requiring him, say, not to intimidate a prospective voter, this would be an instance of criminal contempt.

Here, the judge's purpose would not be to implement one of his orders, but to punish a wilful violator.

The judge himself in the last analysis would determine, in any case, what was civil and what was criminal contempt.

Tonight Senators O'Mahoney, Church and Henry M. Jackson, Democrat of Washington, formally entered a modification to make the jury trial amendment more appealing to liberals generally.

This would have the effect of making certain that jury trials in Federal districts in the South would not exclude Negroes from jury service.

FILIBUSTER

It would eliminate from Federal law a section that inferentially permits the exclusion of Negroes where state law so permits in state courts.

President Is Firm

The President at his news conference took the position that non-jury trial was the "traditional method" of dealing with contempt of Federal courts.

He declared:

"I think we should apply this same method here, and I do not believe that any amendment should be made.

"So, I support the bill as it now stands, earnestly, and I hope that it will be passed soon."

While it was too early for any confident estimate as to the effect on the Senate, some of the President's closest followers on the issue thought that its main utility would be to harden any who might have been wavering.

The preponderance of detached opinion since last week-end has been that the Knowland anti-jury trial forces had held a slight edge over the coalition of Western Democratic liberals, Southerners and dissident Democrats headed by Senator Johnson.

Showdown Move Reasoning

This circumstance probably was in Mr. Knowland's mind in seeking an early showdown, and it was presumably in the minds of the Johnson forces today in their unwillingness then to agree on a vote.

The Chief Provisions Of the Civil Rights Bill

WASHINGTON, July 31—

The Administration's civil rights bill would provide for the following:

Part I—Creation of a Federal Civil Rights Commission, with power to subpoena records, and witnesses, to investigate instances of violations of civil rights and to propose remedies.

Part II—Establishment within the Department of Justice of a special Civil Rights Division.

Part III—Making clear beyond dispute the right of an individual to go on his own into Federal court for injunctions to protect his voting right.

Part IV—Giving the Justice Department authority to intervene, with or without the victim's consent, to obtain injunctions against deprivation of the voting right. Persons refusing to obey such injunctions could be tried without a jury and fined or imprisoned.

EASY FILIBUSTER MAY BE ON WAY OUT

Alabama Senate Faces Fight

Over Reading Bills

ACTION SET TUESDAY

By The United Press

MONTGOMERY, Ala., Aug. 3.

—The easily-riled Alabama Senate faces another filibuster threat Tuesday when it convenes at noon.

It could be a filibuster to filibuster.

Senators E. W. Skidmore of Tuscaloosa and Gerald Bradford of Grove Hill introduced a motion Friday to change Senate rules to prevent at length readings of bills and committee reports.

The motion—which must lie on the table for one day before any action can be taken—would allow the Senate to throw out any request for lengthy readings by a simple majority vote.

Goes to Committee

The motion will be sent to the Administration-packed Rules Committee, where he will try to force it out," said Senator Skidmore.

The Tuscaloosa lawyer said he made his motion after Senator E. O. Eddins of Demopolis asked that everything be read at length when the Senate convened Friday.

Under present Senate rules any senator can ask that everything be read at length and the request must be granted.

"This will put an end to lazy filibustering," Senator Skidmore said.

It was Senator Skidmore who spearheaded the compromise which ended the three-week filibuster Wednesday.

Some legislators were filibustering against reapportionment and Senator A. C. Shelton was warring against judges' pay raises. Anti-reapportionists droned on for hours on the merits of a resolution asking the state Supreme Court for an advisory opinion on the constitutionality of a local bill involving off-street parking.

Allowed Two Hours

Each senator is allowed two hours to discuss any particular matter.

Senator Albert Davis of Aliceville introduced an amendment to the resolution which would start the time cycle all over again.

Senator Neil Metcalf of Geneva, an Administration stalwart, immediately said Senator Davis' amendment was not germane. Senator Davis hesitated . . . then motioned to table his resolution.

Senator Vaughn Hill Robison of Montgomery jumped to his feet and motioned that the resolution itself be tabled along with the amendment. The Senate concurred.

The anti-reapportionists, caught napping—were shaken up by the quick turn of events. They now had to filibuster on an old business issue pending before the Senate, an amendment to a Rules Committee special order calendar which originally sparked the slowdown.

Filibuster fodder was dwindling fast.

Senator Albert Boutwell of Birmingham described the Metcalf-Robison strategy as "brilliant."

Filibusterers Rattled

"It definitely rattled the filibusterers and I believe it was responsible for ending the stalemate," the dean of the Senate said.

Senator Metcalf admitted he "never" saw Senator Davis' amendment, "just took a shot in the dark."

Then Senator Skidmore followed with another parliamentary slight-of-hand.

The slick move had not been used in eight years.

Senator Skidmore asked that the upper chamber dissolve itself into a committee as a whole to thrash out factional differences. The Senate agreed and the Tuscaloosa lawmaker outlined a five-part plan which incorporated "the thinking of most of the gentlemen here."

The Senate went back into session and one of the bitterest filibusters in Alabama history was crushed.

Roscoe Drummond

Constitution
Dixie's Real Heroes
Atlanta, Ga.
Shunned Filibuster
Pres. 9-10-57



WASHINGTON—Of all the possible consequences which may flow from the new right-to-vote law, one of the most grimly ironic would be for the 16 senators from the Deep South to be driven from office by irate voters because they refused to go along with Sen. Strom Thurmond's futile filibuster. It is not fantastic to ask: Will the nonfilibusterers be purged at the polls?

This is a deadly serious political anxiety which such earnest, implacable, total opponents of civil rights legislation as Sens. Richard Russell, Herman Talmadge and others now are facing.

Right now the widely acclaimed political hero of most of the South is not the man whose determination and skill and force persuaded the Senate to cut about three-quarters of the substance out of the bill.

No, the widely acclaimed hero is not Sen. Russell, the leader of the "Southern Sixteen" who talked when it counted and won votes by his talking, but Sen. Thurmond, who talked longer than anyone else after the fight was all over.

The fact is that in the closing hours of the Senate debate, after Sen. Thurmond had held the floor for 24 hours and 18 minutes, Sen. Russell felt it necessary to make one of the most impassioned speeches of his long career in defense of his "failure" to filibuster.

He addressed himself long and earnestly to "the criticisms leveled at Southern senators for not undertaking to filibuster."

"There was not a man among us," he went on, "who was not willing to speak against this iniquitous bill until he dropped in his tracks."

It was a matter of minutes after Sen. Thurmond's performance that Sen. Talmadge took the floor to defend his refusal to filibuster. He was less measured in his words, but he made his point—that he knew full well that "a grandstand of long-winded speeches would be immediately popular with our constituents" and he left no doubt that he thought Sen. Thurmond was selfishly sacrificing the true interests of the South for personal political advantage.

What Sens. Russell and Tal-

madge and others of the "Sixteen" deeply believed—and my information is that they were completely right—was this:

That an organized, sustained filibuster was not open to the Southern senators since there were 64 votes ready to apply cloture.

That a filibuster would have almost inevitably invited, then and there, a change in the rule making it easier to end debate—which the Southerners don't want.

That, with the issue certain to come up again, perhaps next year, the Southern senators cannot afford to destroy good will among independent senators. They'll need it.

These 16 Southern senators don't hate filibusters. They just hate useless filibusters that can only do them harm.

10 1957

FILIBUSTER

South Scores Late In Rights Battle

MAJOR VICTORIES RECORDED ON FILIBUSTER THREAT

WASHINGTON, Aug. 3 (AP)—The 1957 civil rights battle has been a sort of switch on the way things went in the 1861-65 Civil War. The South won the early battles in that long-ago war, but was overwhelmed and crushed in the end.

This time, the Southern senators and representatives fighting against federal civil rights legislation lost major engagements early, particularly in the House part of the congressional battlefield.

But toward the end, they had picked up reinforcements and were riding fairly high. With invaluable help from outside the bounds of the Confederacy—some of the help perhaps not intended—they had stripped the bill down to a fraction of what it once was. There was strong doubt there would be any civil rights bill enacted at all.

Moreover, the Southerners led by Sen. Russell (D-GA), among others, gained important victories in the Senate without once using the filibuster. They found it sufficient to keep the opposition nervous, knowing that the weapon was there.

As one of the Northern commanders, Sen. Douglas (D-ILL), put it: The Senate adopted a jury trial amendment because of "a powerful factor...the always present threat of a filibuster."

The Eisenhower administration showed more push this year—certainly it got started much earlier than usual—behind demands for new federal laws on civil rights. The primary, announced aim was to protect Negro voting rights in the South.

REPEAT CALL
In his Jan. 20 state of the union message, President Eisenhower declared for "fair and equal treatment of citizens without regard to race or color." He repeated his call of a year previous for:
"(1) Creation of a bipartisan commission to investigate as-

serted violations of civil rights and to make recommendations.

"(2) Creation of a civil rights division in the Department of Justice in charge of an assistant attorney general.

"(3) Enactment by the Congress of new laws to aid in the enforcement of voting rights; and

"(4) Amendment of the laws so as to permit the federal government to seek from the civil courts preventive relief in civil rights cases."

And so the fight was under way. Within less than a month, the House Judiciary Committee

opened hearings. Atty. Gen. Brownell submitted proposed legislation, drawn up in the Justice Department, and said this should do "what was necessary, without satisfying 'extremists on either hand.'"

BAYONET RULE
Brownell bristled angrily at a suggestion the administration might be contemplating "bayonet rule" to enforce court decrees in the South—a matter that became important as the months wore on. The House hearings rolled along, with Southerners trying to string them out and Northerners trying to push the legislation to a vote. There was a lot of bitter pro and con testimony.

For example, Hugh G. Grant of Atlanta, former minister to Albania and Thailand, said Communists were backing the legislation "to stir up tension and strife and violence and bloodshed."

Grant said the administration was coldly calculating on strengthening its appeal to Negro voters.

On the other hand, there was testimony from Roy Wilkins, executive director of the National Assn. for the Advancement of Colored People that Negroes were asking only "a minimum safeguard of the constitutional rights which have been so long denied them." Wilkins added:

NOBODY SURPRISED
"I cannot predict what mood will be engendered if the system

which has prevailed for 80 years should, through machinations of any sort, be perpetuated in this enlightened middle of the 20th century."

In the end, to nobody's surprise, the House adopted legislation much as Eisenhower and Brownell had asked, although it bore the name of Rep. Celler (D-NY).

That was on June 18. Last year it was July 23 before the House passed its civil rights bill, a bill that died in the adjournment of the Senate.

This year in the Senate there were some familiar and some new tactics.

Familiar: the Judiciary Committee, headed by Sen. Eastland (D-Miss) took its time with the legislation, and never did get around to reporting it out for Senate action.

New: In a maneuver led by Sen. Knowland of California, the Republican leader, the Senate voted 45-39 to shortcut its Judiciary Committee and put the House-approved bill on its calendar.

Knowland waited until after the July 4 recess to actually call up the bill. That was done on July 8. The next day, Knowland remarked that Eisenhower had not closed the door to "clarifying amendments." Rep. Celler grumbled: "The President bends with every wind."

TURNING POINT

They were talking about what some observers believe to be a turning point of the whole campaign—Eisenhower's July 3 news conference admission that he didn't understand parts of the legislation himself.

This fitted in with the Southern line of opposition—that the bill was so cunningly loaded down with gimmicks that the public couldn't realize its full implications.

Later Eisenhower said he fully supported the bill, apparently after getting an explanation from Brownell.

WEDGE DRIVEN

But the wedge had been driven, and on July 22 the Senate voted

90-0 to repeal a reconstruction era law which Russell and others had contended could be used, in a link with the proposed new civil rights powers, to employ federal troops in enforcing all sorts of court orders—school integration, parks, etc., by Negroes, as well as Negro voting rights.

Two days later, the coalition of Republicans and Democrats who had been pressing for the bill cracked up. This came on a 52-38 vote stripping the bill of all enforcement authority except for voting rights.

There was left only one big battle: Whether to guarantee jury trials to persons accused of violating court injunctions issued under the voting rights procedure. Or should judges alone enforce their own orders?

Senate Hits

Adventurer P.1
Filibuster,

Lat. 7-13-57
Stall Snags

Montgomery, Ala.
**Three Bills Passed;
Calendar Business**

Still Unfinished

By GEORGE WHITTINGTON

Senate administration forces yesterday backed off one filibuster action and bounced into another that kept the upper chamber bogged for two hours and 20 minutes.

Senators finally quit after passing three bills, allowing 15 more to be dropped in the hopper, and never reaching unfinished business on the calendar.

The fat began bubbling when the Rules Committee, in what members claimed was a compromise move, refused to advance as a crime, it would set stiff penalties on any organization or

up three pay raise bills instead.

A move got under way immediately also to move up a controversial military reforms bill and another to allow school districts to broaden their tax power for schools.

But before that could get moving, Sen. A. C. Shelton of Jacksonville began his own talkfest against the raises. While supporters of the military measure marshaled forces for a longer filibuster, it became clear that little could result from the session.

PICTURE CLOUDED

To further cloud the general picture, Sen. Albert Davis of Aliceville demanded an "at length" reading of all measures. Davis has held up action on the Judicial Reforms bill by a compromise setting it back to the 22nd legislative day.

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individual instigating lawsuits or problems posed by the new rules. remaining Senate action is a told reporters after a breakfast meeting with President Eisenhower that the bill needs "a major overhauling."

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At one point in Shelton's talking, he yielded the floor to Sen. Flowers, assistant floor leader, without asking Flowers' purpose. The Dothan senator promptly introduced a bill to raise the pay of the State Highway Director from \$10,000 to \$18,000 annually.

While the Senate flailed in a quagmire, the House took its usual Friday course of calling up only non-controversial measures and getting them out of the way.

However, with a personal assist from Gov. Folsom, who made the House floor rounds on a handshaking tour, it passed out two of his river development measures.

One calls for a constitutional referendum on a \$10 million bond issue for inland docks, while the second would enable the expenditure of three of those millions. The latter was amended by Rep. E. B. Haltom Jr. of Florence, to provide that the bonds be sold at public auction.

Rep. N. S. Hare of Monroeville, author of the Judicial Reforms bill to which Sen. Davis objects—on grounds the rules are to nearly those used in federal court—also introduced a bill drafted to meet some objections to his original measure.

The measure would spell out the Supreme Court's rule-making authority and would set up an eight-man interim committee to work with the court in solving

DIXIE SENATORS END FILIBUSTER THREAT; RIGHTS BILL TO PASS

Law. 8-4-57
South Has Nothing More
To Gain From Stalling

Tactics
Murphy's Law
WANT TO AVOID CLOTURE
P. 1

But House May Not Accept
Watered-Down Measure—
Legislators Ponder Veto
By 'Ike'

By MORRIS CUNNINGHAM
From The Commercial Appeal
Washington Bureau

WASHINGTON, Aug. 3.—Senate passage of the Administration's crippled Civil Rights Bill was virtually assured Saturday as Dixie senators agreed the South has nothing to gain from a last-ditch filibuster.

Senator Richard B. Russell (D., Ga.), Dixie leader, told newsmen after a morning strategy session that "no filibuster is planned."

He predicted the bill will be passed "within a reasonable time" after Southern senators have expressed their views in speeches, none of which he thought would run more than two hours.

This indicated the Senate leadership's time-table for passage late Wednesday, after speeches Tuesday and Wednesday, may be achieved.

Amendments Barred
By a unanimous consent agreement Friday further amendments were barred and the only

However, they added that backers of the bill now have well beyond the 64 votes required to shut off debate, and warned:

"If the precedent of cloture is established, it will be impossible to successfully combat these bills in the future."

They said the overall situation "requires the exercise of sound judgment," and added that "we will pass upon this problem and additional questions as they arise."

Under the circumstances, a filibuster appeared futile. But if one was started and it did succeed in killing the bill it would be certain to stir strong new demands for abolishing the Senate's filibuster rule.

Want Rule Preserved

So as they mapped their course of action, the 17 or 18

Dixie senators still opposed to the bill were compelled to give some consideration to preserving this rule for later use.

"This civil rights fight will not be over this year," the joint Eastland-Stennis statement cautioned. "Attempts will again be made in future civil rights bills to force school integration and by the use of Federal troops to destroy our segregated society."

With Senate passage of the amended bill apparently assured, attention was focused upon whether the House will accept it, and then whether President Eisenhower will sign it.

Dixie leaders remained convinced that despite continuing fulminations against the Senate's crippling amendments, both the House and the President will approve the amended bill.

Senator Russell said it was his personal view the Senate would not ask for a conference with the House when the Senate passes the bill. This would be the first step toward avoiding a Senate-House conference committee and a wrangle between the two chambers over the contents of a compromise bill.

Wrote in Jury Trial

The House passed the bill virtually in its original form. But the Senate knocked out its integration-enforcing features and then wrote in a jury trial provision and other amendments.

However, proponents of the original bill continued to talk of a conference committee.

Senate Republican Leader William F. Knowland (Calif.)

Meanwhile, the United Press reported that highly-placed Administration sources said the President will put the full weight of his influence behind a move to send the bill to conference.

The Administration was said to be concerned over the effect of the jury trial amendment upon anti-trust actions and decisions by Federal regulatory agencies.

House Republican Leader Joseph W. Martin Jr. (Mass.)

said the Senate bill is entirely unsatisfactory and that he would vigorously oppose its acceptance by the House. He conceded a prolonged House-Senate dispute would develop if the bill goes to conference. He said in such case it is doubtful any civil rights bill will be sent to the President

this year.

Representative Kenneth B. Keating (R., N. Y.), ranking Republican on the House Judiciary Committee who would be one of the House conferees, said it

was "not possible" for the House conferees to agree to the jury trial amendment.

Bill May Die

"I still hope we can get a civil rights bill out this year," he said, "But if it means yielding to the crippling amendments of the Senate, there will be no bill this year or next year."

But in the face of these statements, Senator Knowland said he saw no veto threat in President Eisenhower's statement Friday criticizing the Senate bill.

He said the President was disappointed by the Senate amendments, but he added that it is the President's practice to withhold judgment on a bill until it reaches him for his signature.

Underlying all of the various statements and maneuvers was the highly unlikely possibility the two houses of Congress will willingly enter into a situation that could keep them in session for another several months. Instead, reports were abroad that adjournment will come around Aug. 20.

Press In Europe Is Interested In Fight Over Rights

Globe P1 Fri. 8-30-57
Foreign Papers See Senate As Harsh With President Eisenhower; Views Generally Do No Credit To Politicians In Upper House Of Congress Of U. S. *Nashville, Tenn.*

New York, Aug. 22.—A number of European newspapers have given detailed editorial attention to the U. S. Senate's action amending the Administration's civil rights bill.

International implications of the Senate's act were mentioned by at least two newspapers on the continent: the JOURNAL de GENEVE; and the French L'AUREORE. The former implied that the United States will continue to be embarrassed at defending liberty and equality in foreign nations while it does not respect them at home, while L'Aurore called the Senate action "colonialist."

Following are excerpts from editorial comment in these two newspapers and others on the continent and in England:

JOURNAL de GENEVE: "For more than a month stirring debates have taken place in the American Senate about the civil rights bill, whose purpose is to guarantee in fact to the Negro population exercise of its right to vote. The Constitution accords it to him in principle, but racial inequality continues to manifest itself in daily life, for the southern states maintain the privileges of the white man by every means."

"... (The Senate action) constitutes a grave setback for President Eisenhower and the Republican Party... (President Eisenhower) has applied himself — unhappily with a diminished authority — to wipe out racial differences, for he has realized that the United States is embarrassed in defending the great principles of equality and liberty throughout the world while not respecting them altogether inside its own frontiers. It is regrettable that the Senate majority has not taken into account this same consideration."

L'AUREORE: "What the strong majority of 51 to 42 the American Senate has just taken a vote which

practically empties of its substance the civil rights bill... If there ever was a legislative act of colonialist (and some will even say racist) inspiration this is it. May we therefore hope that the accusation of colonialism which has been too often and too rashly aimed at France by our American friends will be definitely shelved and particularly so when we shall talk together of North Africa?

"Does the United States, which is so hostile to the civil rights of the Negroes, know that France's third-ranking political personality, M. Monnerville, President of the Council of the Republic, is a colored man and a very eminent one? Does it know that the Negroes of the French Union have the right to vote and that their representatives, white and colored sit with their colleagues in the Metropolitan France in our Assembly? Let it therefore examine its conscience and tell us on what shore of the Atlantic are living the last colonialists."

LEMONDE (French): "Although the capital debate of the last four weeks in Congress on the rights of American Negroes to vote has not yet finished, one can already consider that the Eisenhower administration has undergone a serious setback. The same is true for all groups which struggled for the betterment of the political status

of Negroes, second-class American citizens.

"Without doubt, both parties will find reason for comfort in the last votes. The firm position taken by the Republicans allows them to hope that they will gain a large part of the Negro vote. The Democrats can congratulate themselves for having avoided the split-up of their party over a difficult problem. The only victims of the operation are the Negroes, who have never, since the Reconstruction era of 80 years ago, been so close to a sensational step forward which would doubtless have upset the political facts of life in the country. This is not the first time, it is true, that the Democrats assure their unity at the expense of the Negroes..."

"Everyone cannot yet assert that Negro citizens will not gain anything from the modified draft law if this is finally accepted. Without doubt, the Senate text even with the so-called 'jury' amendment constitutes progress; everything will depend on how it will be applied. It is to be feared that the federal protection given Negroes to assure them free exercise of their right to vote as recognized by the Constitution will be insufficient, given the many possibilities open to local southern authorities to twist the law..."

BRITISH COMMENT

THE TIMES of London: "The second cardinal amendment made within a week to the civil rights bill puts it beyond doubt that the American Senate intends the object of the measure to be pursued gradually, and with as much acquiescence as a conciliatory spirit can win from the southern Democratic opposition. The object is to require the South, by the use of federal authority, to bring its race relations into harmony with what the Constitution requires and what has been emphatically reaffirmed by the Supreme Court in the matter of segregated schools."

"... Yesterday's amendment, however, will imperil the object of making the Negro vote effective... The difficulty of persuading a southern jury to return a verdict against a white man on the complaint of a Negro is so notorious that Senator Knowland has described the amendment as a fatal blow to the bill and Vice President Nixon has spoken of 'one of the saddest days in the history of the Senate, because this was a vote against the right to vote.'"

MACHESTER GUARDIAN: "Mr. Lyndon Johnson, the leader of the Democratic majority in the United

States Senate, has achieved his purpose. This is not to advance or retard to day when all Negroes in the South shall have an effective right to vote; it is to keep the Democratic party united... He can look forward to seeing his party take over the Presidency when Mr. Eisenhower retires—provided that its extreme wings, northern liberals and southern conservatives, do not meanwhile fly asunder on the racial issue. The amendment to the civil rights bill which the Senate carried yesterday is a compromise designed to avert such a split. It concedes half of the South's demand for jury trial in all contempt cases arising out of voting rights... At the same time, the amendment offers the northern liberals a bait by extending jury trial to all cases of criminal contempt... This, as we may see, is a bicolored rock-python of an amendment..."

"President Eisenhower and other upholders of Negro voting rights need not feel wholly thwarted. The southern senators have kept up their old prophecies of doom; but they have shown themselves aware that it is no longer enough to filibuster and block any sort of advance. They have let in the thin end of the legislative wedge... The vote should be seen as one step in that slow, confused, noisy, but still forward movement—the attainment by southern Americans of better states of mind."

House Unit Acts

For Rights Bill

Post & Times Herald P.2-A

Daily World P.1
**MINOR CHANGES MADE;
FULL ACTION TUESDAY**

Thurs. 2-28-57 Atlanta, Ga.
BY KENNETH WEISS

WASHINGTON — (INS) — President Eisenhower's Civil Rights program was unanimously approved by a House Subcommittee Wednesday with minor changes designed to meet Southern objections.

The civil rights subcommittee finished action on the measure sponsored by Rep. Kenneth Keating (R-N.Y.), after eight days of hearings and scheduled full judiciary committee action next Tuesday.

Keating and committee chairman Emanuel Celler (D-N.Y.), predicted the bill will be approved by the full group and then passed by the Senate and House. A similar plan passed the House last year but died in the Senate.

The measure provides for a Presidentially-appointed study commission to hold hearings and make further recommendations for civil rights legislation, allows the Attorney General to seek injunctions against persons who violate or are said to violate anyone's civil rights, and establishes a civil rights division in the Justice Department.

The changes made by the committee are aimed at meeting southern objections and, as Celler said, "make the bill less unpalatable to the South."

They would require complaints of civil rights violations to be made under oath or affirmation, forbid the Attorney General to institute a private action without the written consent of the aggrieved party, take religious discrimination out of the bill, forbid witnesses before the commission to be subpoenaed beyond their own judicial district and apply the rules of the House to the commission hearing.

The subcommittee action was unanimous.

Keating said the measure had "excellent prospects" of getting full committee approval and added it "should go sailing through the committee, the House and the Senate."

Jokingly, he commented that it "might be becalmed a time but it will get through." He referred to stalling tactics expected to be used by southern opponents of the measure.

Celler told newsmen that he thought there was a "good prospect" of committee approval adding: "We have the votes."

House Panel Votes Rights Bill After Defeating 4 Curbs

Constitution
**North Proxies
Bring 17-15
Victory Edge**

Thurs. 3-19-57 Atlanta, Ga.
By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON, March 18 — The Eisenhower administration's civil rights bill won approval of the House Judiciary Committee today by the margin of two votes.

Northern proponents of the bill had to use six proxy votes to get it approved, 17 to 15.

The bill now goes to the House Rules Committee, which is headed by Rep. Howard Smith (D-Va.).

The Dixie opponents of the bill were encouraged by the fact they were able to delay committee approval a month longer than had been expected. They also were heartened by the close committee vote and the fact that the eight Southerners on the panel were able to get seven of their Northern colleagues to vote with them.

AMENDMENTS BEATEN

Before approving the bill, the Judiciary Committee beat down four crippling amendments but accepted two minor changes proposed by Southerners, including Rep. E. L. (Tic) Forrester of Leesburg, Ga.

The most important amendment defeated would have guaranteed defendants in civil rights cases the right of trial by jury.

It was rejected by the same 17 to 15 margin by which the bill was approved.

When the closed-door meeting of the committee was over, Forrester pledged that a minority report will be filed and that the Southerners will continue their fight against the bill before the Rules Committee and on the floor of the House.

NEW OFFERING
Amendments rejected by the Judiciary Committee are certain to be offered again from the floor, plus additional amendments the Southerners have held back in order not to tip their hand to the opposition.

The Dixie opponents of the bill were encouraged by the fact they were able to delay committee approval a month longer than had been expected. They also were heartened by the close committee vote and the fact that the eight Southerners on the panel were able to get seven of their Northern colleagues to vote with them.

"It looks to me," Forrester said, "that we are now authorized to believe that the proponents of this bill are going to run into some trouble on the floor of the House." "Maybe, after all, the people of this nation are concerned about losing their right of trial by jury." The Southerners last week pushed through a committee amendment to prevent the proposed civil rights commission from investigating allegations of "economic pressures" against a citizen because of his race, creed or color.

Today they won another amendment to prohibit the U.S. attorney general from bringing a suit for damages against a defendant in a civil rights case. It was approved, 17 to 15. By a voice vote, the Southerners also won another amendment to provide that no injunction could be issued against a defendant in a civil rights action unless "there are reasonable grounds to believe" that the defendant has deprived another person of his civil rights. The Dixie forces were defeated, 14 to 11, on one amendment attempt to limit to \$300,000 the federal appropriations for carrying out the act. By the same margin they lost another

By J. W. Davis
Washington Associated Press
A House Judiciary subcommittee, taking quick advantage of its first opportunity, yesterday approved President Eisenhower's civil rights program.

The subcommittee, headed by Rep. Emanuel Celler (D-N.Y.), finished its hearings Tuesday and drafted its bill yesterday in two hours of fast work behind closed doors.

However, the question whether Congress will pass civil rights legislation at this session remained, as usual, up to the Senate. A Southern filibuster is considered a certainty if a bill ever reaches the Senate floor.

Action Due Next Week

The full House Judiciary Committee is to act on the legislation next week. The House Rules Committee would then be called on to give it clearance to the House floor, and further Southern opposition may be expected in the Rules group.

However, predictions were that the Rules Committee would give it clearance eventually, and then it could come up in the House. Rep. Joseph W. Martin (R-Mass.), House minority leader, said on Tuesday that the House could take up the bill about March 15 and pass it in two days.

House approval in mid-March would put the legislation more than four months ahead of its schedule last year. In 1956, the House passed a bill July 23, but Congress adjourned four days later without Senate action.

A Senate Judiciary Subcommittee is to wind up hearings on civil rights legislation March 5. Subcommittee approval would send it to the full Judiciary Committee, which is headed by Sen. James O. Eastland (D-Miss), an opponent of such legislation.

Passage Forecast

Sen. William F. Knowland (R-Calif), the Senate minority leader, on Tuesday said the Senate would pass civil rights legislation this session and he hoped for a vote before the Easter recess beginning April 18. Others, remembering the delays of past years, were not so sure.

The Eisenhower program, presented by Attorney General Herbert Brownell Jr., who said it was needed to protect civil rights of many Negroes in the South, has four main parts:

1. Creation of a Federal commission to investigate and consider reported violations of civil rights.
2. Establishment of a civil rights division in the Justice Department.
3. New laws to protect voting rights and permit the Federal Government to use court injunctions to prevent violations.
4. Provision for civil damage suits where civil rights have been adjudged to have been violated.

Based on Ike's Plan

The bill the House Subcommittee approved was based on the Eisenhower plan and was offered by Rep. Kenneth Keating (R-N.Y.). Chairman Celler had proposed a broader version, but accepted the Keating version.

Representatives of the National Association for the Advancement of Colored People have called for enactment of the Eisenhower plan as a minimum.

Southern critics have assailed it as a politically motivated invasion of states' rights and a threat to prosecute individuals without trial by jury.

effort to limit to 25 the number of assistants to the assistant attorney general that could be employed to investigate civil rights cases.

Six proxy votes defeated, 15 to 11, another Southern amendment that would have required the federal government to pay "reasonable attorney fees" for a defendant who wins a civil rights case.

Under the terms of the bill the federal government would only pay the court costs of plaintiffs in a civil rights case.

In their unsuccessful fight to get the jury trial amendment through, the Southerners pointed out that all persons charged with contempt of a federal court now have the right to demand a jury trial except when the United States Government is a party to the case.

And even when the U.S. is a party to the suit, the Southerners argued, Congress has guaranteed the right of trial by jury to organized labor.

"When this bill reaches the floor of the House," Forrester said, "you can be certain that we will see to it that the House shall be informed as to the rights of the people that the proponents of this bill are asking to be surrendered.

"If they pass this legislation, they will pass it with the full knowledge that they have destroyed the right of trial by jury in a large area and socialized law practice in a very wide field," Forrester continued.

"They will have made possible the weapon that minority groups have been seeking to destroy precious constitutional rights."

Under House rules, a majority report giving committee approval to a bill cannot be filed until after the minority report is presented. The Southerners undoubtedly will take as long as they can be draft and file their minority report in order to delay Rules Committee action.

However, the chairman of the Judiciary Committee can force the filing of a minority report after a reasonable length of time.

another round yesterday when the House Judiciary Committee struck down their attempts to revise the Administration's civil rights bill.

Chairman Emanuel Celler (D-N. Y.) told newsmen the Committee refused to accept a group of amendments which, he said, were designed to hamstring operation of a proposed civil right commission.

He said the only amendment approved in the closed-door meeting would provide criminal penalties for any "leaks" on matters discussed by the commission in executive or secret session.

The committee temporarily recessed discussion of the civil rights bill so that members could be present on the House floor while an appropriations measure was considered.

Celler said he was still hopeful that the measure can clear the Committee before the week is out, but a leading Southern member protested any plan to shut off committee debate.

Rep. E. L. Forrester (D-Ga.) said opponents of the stalled civil rights bill have numerous amendments to offer but "no disposition to do any filibustering or anything of that sort."

Forrester commented that he sees no need for any legislation in the civil rights field. But, he said, if the Committee intends to endorse such a measure, time should be given to study it carefully.

Southerners Lose Again In Move on Rights Bill

Post & Times Herald
Thurs. 3-14-57

By Arthur Kranish
Washington, D.C.
Southern Congressmen lost

Expect Action On Rights Issue

By KENNETH WEISS

WASHINGTON — (INS)—House Judiciary Committee action on civil rights appears at least a week away, despite a windup of testimony today.

Southern leaders finish their arguments against the legislation today and the civil rights subcommittee is scheduled to vote on the issue Wednesday. Approval is a foregone conclusion as all members favor a stronger law.

However, the full committee will be unable to get to civil rights Thursday because of previously scheduled hearings on another subject.

FRIDAY SESSION

The committee rarely meets Friday, although Rep. Kenneth Keating (R-N.Y.), the top ranking minority member, said he will move to have a Friday session in an effort to get the bill to the House floor as soon as possible.

The committee is expected to approve the administration's proposal as introduced by Keating. It would set up a civil rights commission named by the President to investigate charges of racial discrimination in voting and economic rights.

It also would establish a civil rights division in the justice department, and permit the Attorney General to seek injunctions against persons who violate or are about to violate any one's civil rights, including the right to vote.

SNUB CELLER IDEA

The committee is expected to reject a somewhat broader proposal introduced by Committee Chairman Emanuel Celler (D-N.Y.).

In a statement prepared for the subcommittee Monday, Rep. A. S. Herlong, jr. (D-Fla.), charged that the NAACP has done a greater disservice to the Negro than "all the Simon Legrees put together in history."

Herlong charged the NAACP—

one of the major proponents of the proposed legislation—with misleading other sponsors on actual conditions in the South.

FIRST OK STAMPED ON CIVIL RIGHTS BILL

House Subcommittee Votes

Four Amendments To

Appease South
Thurs. 2-28-57

WASHINGTON, Feb. 27—President Eisenhower's four-point civil rights program was approved without dissent Wednesday by a seven-member House Judiciary Subcommittee that includes no Southerners among its members.

The action, which had been expected, was the opening move in a drive to push the controversial measure through Congress.

Representative Emanuel Celler (D., N.Y.), chairman of the subcommittee as well as of the parent Judiciary Committee, announced the measure will be placed before the full committee next Tuesday.

From there it will go to the House Rules Committee and then to the House floor. Approval is expected all along the route. The Senate—and a Southern filibuster—is regarded as the only real obstacle to final enactment.

The subcommittee attached four minor clarifying amendments to satisfy some objections voiced by Southerners, in hearings during the past three weeks.

The bill, as amended, would:

1. Establish a six-member bipartisan commission to investigate allegations that citizens are being deprived of the right to vote or are being subjected to "unwarranted economic pressures" because of color, race or national origin.

2. Create a civil rights division in the Justice Department

with increased powers and headed by an assistant attorney general.

3. Prohibit individuals as well as officials from interfering with the right to vote.

4. Authorize the Justice Department to bring civil suits in Federal courts for damages and to seek injunctions in behalf of persons whose civil rights had been violated or were "about to be" violated.

The subcommittee amendments eliminated a provision authorizing the bipartisan commission to investigate "economic pressures" because of religion; stipulated the commission would follow House rules for committee investigations; would permit it to consider only sworn complaints, and would prohibit it from subpoenaing witnesses to attend hearings outside their judicial district.

The final subcommittee amendment would prohibit the Justice Department from starting civil suits without the written consent of the person allegedly aggrieved.

Civil Rights Bill Approved By House Unit

To Act Tuesday
With OK Forecast

WASHINGTON, Feb. 27 (U.P.)—A House Judiciary subcommittee today approved President Eisenhower's four-point civil rights program after tacking on four amendments to make it "less unpalatable to the South."

By a vote of 6 to 0, the subcommittee sent the measure to the full committee for action next Tuesday. Booh Chairman Emanuel Celler (D., N.Y.) of the full committee and Rep. Kenneth B. Keating (R., N.Y.), its ranking Republican, predicted its approval.

House passage was considered a foregone conclusion. Administration leaders also have predicted Senate approval before Easter, despite threats of a Southern filibuster against the bill.

The subcommittee's approval of Mr. Eisenhower's program

came less than 24 hours after the group completed eight days of hearings on the proposals.

Celler, who also heads the subcommittee, said the four modifications were designed to meet to a considerable degree some of the objections to the program raised by Southerners at the hearings.

"The amendments will make it less unpalatable to the South," he told newsmen.

The bill would establish a six-member bi-partisan commission to investigate complaints that citizens are being deprived of their right to vote or subjected to "unwarranted economic pressures" because of color, race, or national origin.

To meet Southern objections that the commission's powers were too vague and broad, the subcommittee tacked on three amendments (1) requiring the commission to follow House rules in its investigations, (2) permitting only sworn complaints to be considered, and (3) forbidding the commission to subpoena witnesses to attend hearings outside their home judicial districts.

House Unit OKs Civil Rights Bill

Le's Program

Expected To Run

Into Filibuster

WASHINGTON, Feb. 27 (U.P.)—A House Judiciary subcommittee, taking quick advantage of its first opportunity, today approved President Eisenhower's civil rights program.

The subcommittee, headed by Rep. Celler (D-NY) finished its hearings yesterday and drafted its bill today in two hours of fast work behind closed doors.

However, the question of whether Congress will pass civil rights legislation at this session remained, as usual, up to the Senate. A Southern filibuster—unlimited debate—is considered a

certainty if a bill ever reaches the Senate floor.

The full House Judiciary Committee is to act on the legislation next week. The House Rules Committee would then be called on to give it clearance to the House floor. Southern opposition may be expected in the Rules Committee.

CLEARANCE EXPECTED

However, predictions were that the Rules Committee would give it clearance eventually. Rep. Joseph W. Martin (R-Mass), House minority leader, predicted yesterday that the House could take up the bill about March 15 and pass it in two days.

This would put the legislation more than four months ahead of its schedule last year. In 1956 the House passed a bill July 23, but Congress adjourned four days later without the Senate taking action.

A Senate Judiciary subcommittee is to wind up hearings on civil rights legislation March 5. Approval would sent it to the full Judiciary Committee, which is headed by Sen. Eastland (D-Miss), an opponent of such legislation.

Sen. Knowland (R-Calif), the Senate minority leader, said yesterday the Senate would pass civil rights legislation this session and said he hoped for a vote before the Easter recess beginning April 18. Others were not so sure.

FOUR MAIN POINTS

The Eisenhower program, presented by Atty. Gen. Brownell who said it was needed to protect civil rights of many Negroes in the South, has four main parts:

1. Creation of a federal commission to investigate and consider reported violations of civil rights.
2. Establishment of a civil rights division in the Justice Department.
3. New laws to protect voting rights and permit the federal government to use court injunctions to prevent violations.
4. Provision for civil damage suits where civil rights have been adjudged to have been violated.

Southern critics have assailed it as a politically motivated invasion of states rights and a threat to prosecute individuals without trial by jury.

HOUSE UNIT APPROVES WEAKER RIGHTS BILL

Two Dixie Amendments Win
By Narrow Margin In

Judiciary Session
Thurs. 3-19-57
By MORRIS CUNNINGHAM
Memphis, Tenn.
WASHINGTON, March 18.

The House Judiciary Committee approved the Administration's Civil Rights Bill by a narrow margin Monday after accepting two more Southern amendments. The committee rejected by a 17-15 vote a Southern amendment that would have guaranteed jury trials in contempt of court cases arising from the legislation.

Margin Dispute

The margin by which the committee, which met in closed session, approved the modified bill was in dispute.

Chairman Emanuel Celler (D., N.Y.) said it was by a two-thirds margin. Representative Kenneth B. Keating (R., N.Y.) said it was by three-fifths.

Representative E. L. Forrester (D., Ga.) said the vote was 17-15, the same margin by which the jury trial amendment was beaten. And he said in each instance the 17 votes included the proxies of six absent members.

Plan Holding Action

The modified measure which picked up a total of four crippling Southern amendments in the Judiciary Committee counting the two added Monday—now goes to the House Rules Committee.

Southerners will attempt to hold it in the Rules Committee as long as possible—at best until after the forthcoming Easter recess. From the Rules Committee it will go to the House floor.

Southern members of the House met in a strategy session Monday afternoon in the office of Representative Tom Murray (D., Tenn.).

Noting that "they can't vote proxies on the floor," Mr. Murray said: "I think we have an excellent chance to adopt an amendment guaranteeing jury trials when we get the bill on

the floor."

Mr. Murray called the whole bill "obnoxious," but he said the provision that could deny jury trials is "outrageous."

Approved Amendments

The two new amendments approved by the House committee would:

1. Deny the Justice Department the power to file suits for monetary damages on behalf of persons who complained their civil rights had been violated. Southerners charged this would have amounted to "socialized law."

2. Require the Justice Department to be able to show "reasonable grounds" before seeking injunctions restraining persons it thought was "about to" violate the rights of others.

The first amendment was regarded as another Southern victory, but the second was given little importance since it would be left to the Justice Department to determine what constituted "reasonable grounds."

Seven other Southern amendments were defeated, with the proxy votes spelling the difference in each instance, according to Mr. Forrester.

Limit To Appropriations

One would have limited the proposed Federal Civil Rights Commission to appropriations of no more than \$300,000 at any one time. Another would have limited the proposed new assistant attorney general, who would head the proposed new civil rights division in the Justice Department, to no more than 25 assistant assistant attorneys general.

With proponents of the bill pressing for action in both houses, a Senate Judiciary Subcommittee headed by Senator Thomas C. Hennings Jr. (D., Mo.), an advocate of the measure, is slated to meet Tuesday to consider it.

Southerners were hopeful that in the Senate subcommittee they

can attach a "right to work" amendment — opposed by labor union leaders — that might result in elimination of the entire section setting up the proposed Federal Civil Rights Commission.

If the "right to work" amendment is approved, Southerners figured labor-minded subcommittee members then will vote to knock out the whole section as a means of getting rid of the amendment.

To Full Committee

From the Hennings subcommittee

tee the measure will go on the Senate side to the full Senate Judiciary Committee, headed by Senator James O. Eastland (D., Miss.). It is certain to encounter further delays there.

The final obstacle — as from the beginning — still is a Southern filibuster in the Senate. And the later the measure reaches the Senate the better the chance of a filibuster killing it.

Mr. Forrester said that if the measure is enacted with its present denial of a guaranteed right of trial by jury still intact, the Congress "will have made possible the weapon that minority groups have been seeking to destroy precious constitutional rights."

Civil Rights Bill Altered in Committee As Southern Democrats Get GOP Help

Post & Times Herald Jan. 3-15-57 P. 2-A
Washington, D.C.
By Robert C. Albright
Staff Reporter

Southern Democrats, with some Republican help, succeeded in writing some relatively minor modifications into the Administration's civil rights bill in the House Judiciary Committee yesterday.

Sponsors of the bill claimed the legislation is not seriously weakened and predicted the Dixie amendments will be knocked out on the floor of the House.

In addition to amending the bill, the Southerners won an agreement to put over until Monday final House committee action on the bill. Sponsors said they were glad to make this agreement, in return for the flat promise of a vote.

House Judiciary chairman Emanuel Celler (D-N. Y.), who has made little headway to date in his efforts to get final action, has consistently refused to accuse the Southerners of filibuster.

"These men are opposed to the bill," Celler told newsmen yesterday. "They are fighting legitimately. They have a lot of amendments still to be voted upon. I think they were all offered sincerely."

One of the amendments adopted yesterday removed from the bill authority for the proposed Bipartisan Civil Rights Commission to investigate "unwarranted economic pressures" because of race or color.

'Religion' Back in

Also eliminated was authority for the Commission to investigate "economic" and "social" development. Still retained was the basic authority for the Commission to investigate allegations that citizens are being deprived of their vote "by reason of their color, race, religion or National origin." The word "religion," previously cut out in subcommittee, was restored to the bill.

Actually the proposed Bipartisan Commission, whose powers would be modified by the Southern amendments, comprises a comparatively small part of the measure. Other features would (1) forbid anyone from intimidating

an individual in the exercise of his right to vote (2) empower the Attorney General to bring injunction proceedings in behalf of an aggrieved person and (3) permit direct access to the Federal courts, before State remedies have been exhausted.

To Fight Injunction

Southerners will wage their stiffest fight on the proposed injunction clause.

Celler told newsmen he still hopes to get the bill through the House before Easter. He said he will resort to a "discharge" petition, requiring signatures of 218 House members, if the House Rules Committee fails to give the bill right of way, or holds it up beyond ten days.

Rep. Kenneth B. Keating (N. Y.), leading Republican sponsor of the bill, said it is "inconceivable" to him that a discharge petition will be needed. Keating said he believes the Democratic leadership will see to it the bill gets to the House floor in the regular way. He said he hopes for House passage before April 1.

House Group Reports Out Reform Bill

Engelhardt Readies
Joint Resolution
For 'Black Monday'

By GEORGE WHITTINGTON
The House Judiciary Committee

yesterday overwhelmingly approved an amended version of the controversial Judicial Reform Bill, putting it in line for possible vote in the lower chamber Tuesday.

The bulky book of rules changes, which has drawn stout opposition as well as staunch support before both House and Senate Judiciary Committees, goes back to the House today for its second reading following two days of debate.

Meanwhile, as the Legislature prepared for its fourth legislative day, Sen. Sam Engelhardt of Macon readied a joint resolution sharply critical of the U.S. Supreme Court for its decision outlawing segregation in public schools.

The Macon lawmaker, who also is executive secretary of the Alabama Assn. of Citizens' Councils, said he will introduce it today,

the third anniversary of what he called "Black Monday"—the day the ruling came down.

Denouncing the decision as "annulling 86 years of sound judicial precedent," Engelhardt took a special swing at Chief Justice Earl Warren for having written what he said is "a distortion and perversion of the United States Constitution."

Until the ruling, Engelhardt pointed out, the top U.S. tribunal had upheld systems of separate-but-equal school facilities for 86 years.

Playing the ruling as based on "so-called psychological knowledge," rather than on "anything in the constitution," Engelhardt asserted the ruling "usurps the power not possessed by Chief Justice Warren and his associates, and is an amendment and change in our Federal Constitution, not sanctioned by the vote of two thirds of the members of the Federal Senate and House, nor consented to by the people of three-fourths of the sovereign states of the Union."

Engelhardt's resolution would pledge the Legislature to use "all lawful means" to maintain segregation in the schools.

It denounces the ruling as a threat to "undermine the ancient form of government and destroy forever the purity of the race which has made us a great people."

If approved, the resolution would further put the Legislature on record as opposing what Engelhardt termed "an unwarranted invasion" of states rights, and a "threat to the rights of our country."

The House Judiciary group's approval of the Judicial reform bill came with only one dissenting voice raised against it. Rep. Francis Speaks of Chilton opposed the motion for a favorable report.

The vote came after both Associate Justice Pelham Merrill of the State Supreme Court and veteran Circuit Court Judge Walter B. Jones spoke out in its favor.

Jones gave these as his reasons for favoring the new rules:

1. They are founded on common sense and justice.
2. They meet the demands of today for justice in the courts of today in determining the litigation of today.
3. They save the courts needless waste of time in deciding questions involving the frivolous technicalities, and give the courts full time to study and determine cases on their solid merits, on what is right,

fair and just between the parties. 4. They reduce the costs of administering the courts and can save the already over-burdened taxpayers of the state and counties multiplied thousands of dollars every year.

5. They will make popular the administration of justice.

6. They will give the people greater confidence in their courts, judges and juries.

7. They will to a large extent take prolonged time-killing and endless delay out of the sessions of the courts of Alabama and save the valuable time of witnesses, jurors and litigants.

8. And they will make the attainment of justice less costly and more certain.

Activity in the House is expected to be on the light side today.

For the first time this session the lower chamber will be confronted with a calendar of bills up for vote, but all 22 measures on the agenda are local in nature and as such will probably win approval without debate.

The introduction of additional bills is also anticipated in the House, but on a somewhat slower pace than that experienced on the last two legislative days. To date a total of 254 measures have been dropped into the House.

Text of Truman's Speech on Rights

Following is the text of an address prepared for delivery by former President Harry S. Truman at the Joint Defense Appeal Human Rights Award Dinner at the Commodore Hotel last night:

I am deeply appreciative of the award you have just given me.

I am greatly honored especially because it comes jointly from two of the oldest human relations agencies in this country.

I am sure you have singled me out for this special attention—not so much because of any particular deed or deeds of mine—but because you want to point out how urgent it is to fight continually against bigotry and intolerance. And you know I intend to keep fighting to do what I can to help preserve our civil rights and our civil liberties.

You have been leaders in the fight for those liberties in America. You have given me an award. Now I want to give you one.

The United States has derived many of the elements of its democratic faith from the Jewish religion. It is from the Old Testament that we derive our conception of the value and dignity of human life, our belief in the moral law, and our overwhelming emphasis on justice and freedom.

These things are fundamental in the Jewish religion just as they are fundamental in the democratic principles of our Government. They are part of the great religious tradition, Jewish and Christian, that underlies our free institutions. And a citizen who is a good Jew is also a good American.

That, I think, is why you have such a great awareness and such a deep appreciation of the value of civil rights.

The need to fight for those rights, for the rights of all our citizens, irrespective of color, race or creed, to have equal opportunity in education and economic fields as well as in civil rights has been brought home to all of us by the unfortunate events in Little Rock, Ark.

I was shocked to see the Governor of Arkansas take it upon himself to obstruct

the enforcement of the decision of the Supreme Court of the United States. The Supreme Court decision expressed the stated purpose and intent of the Constitution of the United States which extends equal educational privileges as well as civic and economic rights to every member of our population, regardless of race, creed or color.

No Reasonable Doubt

Especially since 1868 there should have been no doubt in the mind of any reasonable man of the provision for equal rights for citizens of the United States. Certainly obstruction should not come from a Governor who is sworn to uphold the Constitution of the United States as well as the laws of his state.

I don't see how the rest of the world—where the white race is in a minority—can understand some of the things that are being done in certain communities in this country which ought to be the leader of the world in the fight for human liberty. It is regrettable that civil rights and equal privileges under the Constitution are not carried out or are thwarted in certain areas, but we must go on fighting to enlighten and educate those who are slow in catching up with American thinking, and go on battling to see that justice is done.

As you know, I have striven all my life to back the democratic principle that we stand for.

We stand firmly and forthrightly for the full enjoyment and protection of the civil rights and liberties of every citizen in the land regardless of race, creed or national origin. I think that firm and foresighted leadership might accomplish this without calling on the Army for help. In deed, I know that patient and persistent action, coupled with firmness, can work wonders in the field of civil rights.

As President I was so concerned about civil rights that on Dec. 5, 1946, I issued a statement and an Executive Order (No. 9808) creating the President's Committee on Civil Rights. I should like to read the opening:

"Freedom From Fear is more fully realized in our country than in any other on

the face of the earth. Yet all parts of our population are not equally free from fear. And from time to time, and in some places, this freedom has been gravely threatened. It was so after the last war, when organized groups fanned hatred and intolerance. . . .

"The preservation of civil liberties is a duty of every Government—state, Federal and local. Wherever the law enforcement measures and the authority of Federal, state and local Governments are inadequate to discharge this primary function of government, these measures and this authority should be strengthened and improved."

Confidence Borne Out

I asked fifteen prominent Americans to serve as the President's Committee on Civil Rights, in the conviction that if the American people were given a clear picture, they themselves would be that are being done in certain quick to remedy those practices shown to be out of keeping with our heritage of freedom. I am happy indeed that the record of the past ten years bears out my confidence. Twice before in American history, as the Committee's Report recalled, this nation took stock of its freedoms. The first came soon after the Constitution was ratified—American Bill of Rights.

The War between the States brought the next appraisal—"the new birth of freedom" which President Lincoln predicted, marked by the Emancipation Proclamation and the thirteenth, fourteenth and fifteenth Amendments to the Constitution.

In 1947, when the President's Committee on Civil Rights convened, Hitlerism had been vanquished, but the threat of aggressive communism was already darkening the horizon. The reasons cited by the committee for a new examination of our civil rights are as valid today as they were then:

(1) The moral reason: The United States can no longer countenance these burdens on our common conscience, these inroads on its moral fibre.
(2) The economic reason: The United States can no longer afford this heavy

drain upon its human wealth, its national competence.

(3.) The international reason: The United States is not so strong, the final triumph of the democratic idea is not so inevitable, that we can ignore what the world thinks of us or our record.

The committee pinpointed the danger points where freedom was lagging: segregation in the nation's capital; racial and religious discrimination in employment, housing and education; infringements of the right to vote, to serve in the armed forces, to enjoy equal justice under law.

Its report was called "To Secure These Rights."

It is as good today as it was then.

I am happy that the President has just appointed a commission to carry out the measure passed by Congress at the last session to look into the civil rights situation as it exists today and to recommend further measures "to secure these rights."

Our attitude on this vital struggle for equal opportunity and human liberty is being watched by the world. Don't worry about the sputniks. We can take care of that situation. Let's make sure we preserve the greatest inspiration we can give the world, the liberties and the rights we profess through one of the most wonderful documents in the world—the Constitution of the United States.

MATTER OF FACT Johnson Won Senate Game, But In '60...?

BY STEWART ALSOP

B'ham, Ala. WASHINGTON

THERE ARE TIMES—they are very rare—when a scene worth remembering, a moment of real drama and meaning, occurs on the Senate floor. There was such a moment last week, when the Senate, in the small hours of the morning, passed the jury trial amendment to the civil rights bill—a vote which will surely affect the political balance of power for a long time to come.

It was a scene of a sort that occurs only once or twice in a decade—every fit senator on the floor, and the galleries choked with spectators, as the hands of the big Senate clock crept on past midnight. All present, spectators and senators alike, were caught up in the excitement of the great Senate game.

A man's pulse can be quickened, after all, by a close contest at chess, or on the golf course. But there is nothing quite like the Senate game, in which great issues can be decided by a sudden parliamentary maneuver, or a quick, sure sensing of the Senate mood.

The game that was played out on the Senate floor last week was, moreover, a peculiarly personal contest. There were many speakers, but the floor was wholly dominated by two big men, stationed cheek by jowl on the center aisle—big, chunky, earnest Minority Leader William Knowland, and lanky Majority Leader Lyndon Johnson, the shrewdest congressional leader of this generation.

While Dirksen Thought, Johnson Was Scratching

THEY MADE a fascinating contrast. Knowland sat stolidly, like a great cornered bull, his enormous forehead furrowed in parallel wrinkles, fore-tasting defeat. Johnson sat back, easily, his long legs negligently crossed, when he was not moving restlessly about. Once, when Everett Dirksen of Illinois, rose to support Knowland with his special brand of empty grandiloquence. ("I have been thinking much of Runnymede") Johnson half-yawned, and lazily scratched his chest, in a magnificent gesture of casual confidence.

Only a few hours before, Knowland thought he had won the game. He had the votes to beat off the crucial amendment, and everybody knew it. But Knowland, like an over-anxious golf player on the last hole of a close match, began to press too hard.

By insisting on 12-hour sessions, and

by other means, he brought pressure on the Senate for a quick vote. The Senate a leisurely body, does not like being subjected to pressure. Johnson, the master player of the Senate game, sniffed the Senate air, and played his hole card—a further amendment carefully tailored to attract the last of the waverers.

In the atmosphere of irritation created by Knowland's pressure, this was enough. Johnson soon knew that he, and not Knowland, had the votes. With brilliant timing, Johnson turned the tables on Knowland, when he rose to support Knowland's own motion for limited debate and an immediate vote. Knowland was checkmated, and there was nothing he could do.

Johnson had predicted 50 votes for the jury trial amendment. He got 51. On an issue which has divided his party as no other issue, he held all but nine Democrats, while Knowland lost 12 Republicans. The vote was a tribute to an authentic legislative genius, and for Johnson a moment of supreme triumph.

And yet, how solid was the triumph? Who really won?

Johnson won the great Senate game hands down. Yet in terms of national politics, it seems quite possible that Johnson, in winning, lost, and Knowland, in losing, won.

Northern Negro Vote Is Called Key Issue

FOR THOSE WHO become caught up in the excitement of the Senate game, it is easy to forget what the civil rights fight is all about. In hard political terms, the civil rights fight is all about the Negro vote in the key Northern industrial states, where that vote can be absolutely decisive.

Negro voters interest themselves no more than white voters in the subtleties of parliamentary maneuver, or the complex legal and moral issues involved in the jury trial amendment. And yet, as a result of Lyndon Johnson's triumph, they have been treated to a spectacle which they are likely to interpret in only one way—the spectacle of the great bulk of the Senate Democrats siding with the bitter-end Southerners, while a heavy majority of Republicans went down to defeat against them.

The Negro vote is the swing vote in a whole series of big states—New York, Pennsylvania, Illinois, Michigan, California, to name a few. That is why one cynical observer remarked as the vote was counted, "The Democrats may elect a president again in 1980—but not before." and that could be the real meaning of the midnight scene on the Senate floor last week, and the real measure of Johnson's triumph and Knowland's defeat.—C

Rights Bill Deferment Is Blocked

WASHINGTON — (INS) — Sen. Wayne Morse (D., Ore.) Tuesday blocked a move by the Senate leadership to shelve the civil rights bill temporarily to permit action on other legislation.

His objection came after all factions in the civil rights battle had consented to setting the measure aside Wednesday and Thursday so the Senate could act on the huge defense money bill and other urgent matters.

Democratic Leader Lyndon Johnson, of Texas, had sought unanimous consent to sidetrack the civil rights bill and Morse's lone objection was sufficient to block the plan.

Morse declared that no legislation Johnson listed for action was more pressing than the civil rights bill. He said that "the demand across America is that we act — the eyes of America are on this parliamentary body."

Just before he made his objection, Morse shouted: "Now is the time to hold the line. Now is the time to say there will be no retreat, no truce, no armistice."

Contending forces in the jury trial fight had planned to use the breather to woo votes for a showdown which Sen. Richard B. Russell (D., Ga.) said "possibly" could come next week. However, Russell said he is not committing himself to any deadline on debate.

Defeat of the jury trial amendment could signal a southern filibuster but Senate GOP Leader William F. Knowland said civil rights sup-

porters are prepared to keep the Senate in session "all winter" if necessary to get the measure passed.

The Californian made his statement after the regular weekly meeting at the White House between President Eisenhower and GOP congressional leaders.

At issue in the Senate is an amendment to guarantee a jury trial to anyone accused of criminal contempt for ignoring a court order against interference with a person's right to vote.

The administration is making a strong stand against the amendment, which it contends would strip enforcement teeth from the right-to-vote provision. Knowland claims enough votes to defeat the proposal.

Angry and bitter debate preceded Morse's objection. Russell accused proponents of the bill of trying to "crucify" the South. He declared that unlike Chicago and Detroit, the South has been free of race riots.

Sen. Johnson Raps Nixon

Rights Stand For Stand On Rights Trial

Of Nixon Hit

WASHINGTON, Aug. 5 (P)—Senate Majority Leader Johnson (D-Tex) accused Vice President Nixon today of leading "a concerted propaganda campaign against the Senate's jury trial amendment to the civil rights bill."

Johnson said final action on the bill would come Wednesday.

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Johnson said final action on the bill would come Wednesday or Thursday and he predicted: threats of violations of voting

y "There will be a more substan- rights. Under present law, where
ntial vote for passage then there an individual violates the terms
n was for the jury trial amendment of an injunction and is charged
il which the vice president with contempt of court, he would
criticized." be tried by a federal judge with
out a jury.

The vote for the jury trial **HOST OF ACTIONS**

amendment last Friday was 51-42. The amendment provides for jury trials not only in voting rights cases but in labor disputes and a host of other types of actions.

tion of the amendment, that "this was one of the saddest days in the history of the Senate because this was a vote against the right to vote." The jury amendment would also provide for the right of Negro and other affected individuals to serve on federal court juries whether or not they are qualified as jurors.

"It is rare when the vice presi- under their own state laws.

dent starts lecturing a majority of the members of the Senate," Johnson told reporters. "He was here for very little of the discussion of the bill and he knows very little about what was in it."

to "Any objective person, who is not playing politics, knows that this bill represents an advance in civil rights bill, it will be the first one passed in 80 years.

Johnson H

A high administration source said yesterday President Eisenhower would veto the bill if it reaches him in the form in which the Senate is expected to pass it.

has predicted the bill will die in Johnson said final action on the conference. bill would come Wednesday or

It was attached to a section of the bill authorizing the attorney general to seek federal court injunctions against any violations or

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Controversial Rider

The controversial amendment provides for jury trials in nearly all cases of criminal contempt arising from federal court injunction proceedings.

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Plits Nixon s Bill Role

5 (P)—Senate Majority
 6 accused Vice President Nixon
 7 of "propaganda campaign"
 8 "racial amendment to the civil
 9 rights bill."
 10 He was tried by a federal judge with-
 11 out a jury.

The amendment provides for jury trials not only in voting rights cases but in labor disputes and a host of other types of actions.

Senate Civil

Part I—Set up a Federal civil rights commission with subpoena powers to investigate cases of racial discrimination. Stricken by the Senate was a provision that the commission could use volunteer, unpaid workers. Added by the Senate was a provision that the President's appointee as the commission's staff director must obtain Senate confirmation.

Part III—Affirm the right of an individual to go into Federal Court on his own for injunctions to protect his voting

right. Stricken by the Senate was authority for Federal prosecutors to use injunctions for implementing other civil rights, including the right to attend an integrated school in the South. Persons refusing to obey these injunctions could have been punished by a Federal judge, without a jury, for contempt.

Part IV—Permit the Federal Government, with or without the consent of the victim, to obtain injunctions against interferences with voting rights. Violators of injunctions could be fined or imprisoned by a Federal judge without jury for civil contempt. The Senate wrote in a provision, over Administration objections, requiring jury trials for criminal contempt cases in all phases of Federal law, not only civil rights cases.

Senator Cites Judge Johnson In Rights Plea

U.S. District Judge Frank M. Johnson Jr. of Montgomery was one of three Alabama federal judges quoted in messages yesterday to the U.S. Senate by Sen. John Sparkman speaking on the civil rights issue.

Sparkman quoted Judge Johnson as stating "federal jurors in this district are selected on a

Rights Bill

Johnson Hits Nixon For Rights Bill Role

WASHINGTON, Aug. 5 (AP)—Senate Majority Leader Johnson (D-Tex) accused Vice President Nixon today of leading "a concerted propaganda campaign against the Senate's jury trial amendment to the civil rights bill. . . . He should be tried by a federal judge with

Johnson said final action on the bill would come Wednesday or Thursday and he predicted:

"There will be a more substantial vote for passage than there was for the jury trial amendment which the vice president criticized."

Statement Noted Special to The New York Times.
WASHINGTON, Aug. 5 — The Senate's revised version of the Administration's civil rights bill would do these

Senate Civil Rights Bill

Special to The New York Times.
WASHINGTON, Aug. 5 — The Senate's revised version of the Administration's civil rights bill would do these qualification basis without any reference to color . . . in accordance with federal statutes governing jury selection."

Judge Johnson said he replied earlier this week to an inquiry from Sen. Sparkman and Alabama's senior senator, Lister Hill, on the question of Negro jurors in the South.

During recent debate on the civil rights measures some Northern senators had questioned whether Negroes were excluded from jury service in the South.

Messages also were read by Sparkman from two other federal judges in Alabama who said Negroes served on juries before them. The other two judges were not identified.

Negroes have long served on trial and grand juries in circuit court here, Clerk John Matthews said yesterday.

A provision added to the jury trial amendment passed Thursday by the Senate would permit Negroes or others to serve as federal court jurors regardless of whether they were qualified under state laws.

Under the present federal law, jurors must be qualified in the state to serve in federal court.

JOHNSON PREDICTS MAJORITY TO VOTE JURY TRIAL CHANGE

Amendment Becomes Major Issue In Fight Over Civil Rights Bill

TENNIS HITS ORIGIN

Senator Raises Question In Stinging Senate Speech On Who Was Author Of Controversial Measure

By MORRIS CUNNINGHAM
From The Commercial Appeal
Washington Bureau

WASHINGTON, July 25. — Senate Majority Leader Lyndon B. Johnson (D., Texas) predicted Thursday a "substantial majority" of the Senate will vote for a jury trial amendment to the Administration's Civil Rights Bill.

This became the most important issue after Wednesday's 52-to-38 vote stripped the measure of its injunctive powers to enforce racial integration and

converted it primarily into a some sections will not convict right-to-vote bill.

Senator Johnson told the Senate he hopes to work out an agreement for a vote "early next week" on a jury trial amendment to the right-to-vote section.

May Vote Tuesday

Dixie senators privately reported a tentative agreement has been reached to vote on the issue Tuesday.

Senate Republican Leader William F. Knowland (R., Calif.) promised a "major effort" to keep the bill from being "emasculated" further.

"We can still have a good bill if we don't make it ineffective on voting rights," he said.

The vote apparently will come on a jury trial amendment, by Senator Joseph C. O'Mahoney (D., Wyo.) which is now the Senate's "pending business." It would require jury trials for criminal contempt, but would permit judges to try civil contempt without juries.

In both instances the contempts would arise from the violation of injunctions restraining interference with voting rights.

Parleys Set Today

A civil contempt would be a simple refusal to obey an injunction. A criminal contempt would occur when a state or Federal criminal law was violated in the course of disobeying the injunction.

Separate closed-door meetings of all Republican senators and the Southern bloc were called for Friday on the jury trial issue.

Senator Knowland also will have an opportunity to get President Eisenhower's views on such an amendment at a White House breakfast.

As debate on the O'Mahoney amendment continued Senator Johnson charged that "slick" Administration lawyers had tried to write the bill to circumvent trial by jury.

He charged the bill undertook to convert crimes into civil offenses to avoid jury trials.

"I believe we all recognize that courts must have the power to enforce their orders," he said. "But on the other hand, people who are accused of crimes should have the opportunity to make their case before a jury of their peers."

Who Wrote Bill?

Refuting the argument that bypassing of jury trials is justified because Southern juries will not convict in civil rights cases, Senator Johnson said:

"The plea that some juries in

does not seem to be to be a proper approach. In the first place, the truth of the plea has not been demonstrated. And in the second place, if the truth could be demonstrated, the appropriate course would be to re-examine our whole jury system.

"Under no circumstances should we resort to an expediency to maneuver around a basic protection of our liberties."

Meanwhile, Senator John Stennis (D., Miss.) attacked the "obscure origin" of the bill.

"Who drafted this bill?" the Mississippian demanded in a Senate speech.

"Did the attorney general himself write it? Did the attorney general's staff draft it? Who are those individuals, if any, from outside the Department of Justice, who helped draft this bill? Regardless of who may have drafted the final form of the bill, who furnished the original ideas, the amendments and cross-amendments?"

"Where are the original drafts of this legislation?"

Charges Many Misled

Senator Stennis said "these are all questions that have never been answered." And yet he said "the Senate is asked to act on legislation affecting 170 million people without any adequate knowledge of the facts or reasons for inclusion of certain provisions."

"Equally obscure," he said, "is the identity of the person who masterminded the campaign of misrepresentation of this bill as a 'moderate bill' designed to protect voting rights."

"The people, the press, members of Congress who have supported it, and even the President himself have been misled."

He said the Senate's rules for unlimited debate have succeeded in exposing some of the bill's "hidden dangers," but he added that "a frank answer and the full disclosure as to the questions presented will go a long way in clearing the air of the confused subject matter yet remaining to be fully explored in debate."

Kefauver Offers Plan

Senator Estes Kefauver (D., Tenn.) urged the Senate to accept a jury trial amendment he has introduced in preference to the O'Mahoney amendment.

The Tennessean said he did not want to "quibble over words" but he insisted his proposal would be more workable than Senator O'Mahoney's.

He called his amendment

"workable," and in support of it quoted favorable comment on the Washington Post and Times Herald—both of which have editorially opposed a jury trial amendment to the Civil Rights Bill.

JOHNSON CHARGES NIXON DISTORTION IN RIGHTS BATTLE

Asserts Vice President Heads Propaganda Drive to Label Senate Bill Unworkable

COMPROMISE DISCUSSED

Modification of Jury Trial Proviso Suggested as Way to Save the Measure

By WILLIAM S. WHITE

Special to The New York Times.

WASHINGTON, Aug. 5.—Senator Lyndon B. Johnson accused Vice President Richard M. Nixon today of heading "a concerted propaganda campaign" to misrepresent as unworkable the Senate's version of the civil rights bill.

Mr. Johnson, the Senate Democratic leader, led a Senate coalition that wrote into the Administration's text a guarantee of jury trial in criminal contempt cases arising from violations of injunctions to protect the voting right.

Mr. Nixon asserted at the time that this action of the Senate was "a vote against the right to vote."

There is a belief among many Senators, including some administration Republicans, that the Vice President's advice might have contributed to President Eisenhower's hot denunciation of the jury trial amendment last Friday. The Vice President was with General Eisenhower shortly before the Presidential statement was issued. It was interpreted by many as meaning that the White House would rather have no bill at all than a bill

carrying the jury trial proviso, power to use unpaid "volunteer workers" and require Senate confirmation of its executive staff director.

Some Eisenhower Republicans who supported the President on the issue are demurring at any suggestion that the measure, unsatisfactory though it might be, should be allowed to die for this session because of the jury trial addition.

Some of these were talking today of a compromise through which, in their view, the President might sign the bill after all.

This would involve a concession by the Senate to make the jury trial guarantee applicable only to criminal contempt in civil rights voting cases. As approved by the Senate it would apply to criminal contempt across the whole field of Federal law dealing with the violation of injunctions, including criminal contempt in labor injunctions.

A civil contempt case would be one in which the judge was seeking merely to implement a court order. Once the defendant agreed to obey it—say to register a qualified Negro for voting—he would free himself from jail.

The Senate put civil rights aside today, because of the absence of the leaders from both sides. Those members are attending funeral services for former Senator Walter F. George in Georgia.

Final approval of the Senate version is expected by Wednesday night or Thursday.

After that will come a critical series of negotiations with the House of Representatives to attempt to reconcile two greatly differing texts. The House approved the Administration's version intact. This version would set up a Federal civil rights commission with subpoena powers to investigate racial discrimination and seek remedies.

Establish within the Justice Department a special civil rights division. Empower Federal prosecutors to use the injunction to protect the whole range of civil rights, including the right to attend an integrated school in the South.

Grant these same Federal injunctive powers in the field of voting rights.

The Senate's bill was rewritten by a bipartisan force headed by Senator Johnson. It included Western liberal Democrats, Southern Democrats and traditional Republicans. It would agree to the establishment of a Federal civil rights commission but deny it the requested

power to use unpaid "volunteer workers" and require Senate confirmation of its executive staff director.

Agree to the establishment of a special civil rights unit in the Justice Department.

Strike from the bill all power to use the injunction in civil rights cases except to protect the voting right.

Under the Senate bill, as well as that of the House, Federal prosecutors could obtain injunctions, with or without the consent of the victim, to maintain the right to vote. Persons refusing to obey these injunctions could be fined or imprisoned by the Senate to make the jury trial guarantee applicable to criminal contempt in civil rights voting cases. As approved by the Senate it would apply to criminal contempt across the whole field of Federal law dealing with the violation of injunctions, including criminal contempt in labor injunctions.

Under the Senate bill, as well as that of the House, Federal prosecutors could obtain injunctions, with or without the consent of the victim, to maintain the right to vote. Persons refusing to obey these injunctions could be fined or imprisoned by the Senate to make the jury trial guarantee applicable to criminal contempt in civil rights voting cases. As approved by the Senate it would apply to criminal contempt across the whole field of Federal law dealing with the violation of injunctions, including criminal contempt in labor injunctions.

A civil contempt case would be one in which the judge was seeking merely to implement a court order. Once the defendant agreed to obey it—say to register a qualified Negro for voting—he would free himself from jail.

A criminal contempt case would be one in which the judge was seeking not to carry out a process of the court but rather to punish a man—say for assaulting or intimidating a voter after he had been enjoined not to do so.

The day's effort of Senator Johnson was to show that Vice President Nixon was presenting as "soft" what was in fact a formidable series of sanctions to protect the voting right.

The Texas Senator said: "Judges, by civil contempt, can guarantee every person the right to vote. There is no need for criminal contempt unless you are somebody and get your own private judge to do it."

"This bill in its present form represents an important advance in the field of civil rights. It is progress that is significant for our country."

"It would be unfortunate if important rights should be withheld from our people on the curious theory that NO progress is better than some progress."

Senator Johnson recalled that one feature of the amendment was to guarantee, for the first time by Federal law, the right of Negroes to serve on Federal juries in the South.

Senator Barry Goldwater of Arizona, one of those Republicans who broke with the Administration and voted for the jury trial amendment, told the Senate he "could not agree" with

House Republican leaders that reasonable and honest men could not work out a compromise. There was "no reason" he asserted.

JOHNSON WILL ASK CIVIL RIGHTS HALT

Wants to Tackle Other

Pending Legislation

By WILMOT HERCHER

WASHINGTON, July 29 (AP)—Majority leader Johnson (D-Tex.), announced Monday night he is going to ask the Senate to lay aside the civil rights bill for a day or two and tackle a backlog of other legislative business.

He will need a unanimous consent agreement to accomplish this.

Johnson said he proposed to try for the agreement Tuesday. If he gets it, it will permit consideration of a long list of presidential nominations and final action on such other pending matters as the defense department and agricultural appropriations for the new fiscal year, which started July 1.

175 BILLS STACK UP

The Senate has been debating civil rights for the last three weeks. At least two more weeks of argument are in prospect, and it may last longer if Southern Democrats elect to filibuster against the legislation.

Meanwhile 175 bills are backed up on the Senate calendar, including five appropriations measures. Most of the bills are of a minor nature, however, and can be passed by unanimous consent.

Earlier in the day Sen. Knowland (R-Calif.) had challenged the Southerners to get going with a filibuster.

"If there is a filibuster, I am subject to trial by federal judges in favor of having it now and fighting it out, rather than postponing it, even if it takes until September to get this measure passed," the GOP leader told newsmen.

KNOWLAND OPTIMISTIC

Knowland heads a loose coalition of Republicans and Northern Democrats fighting for civil rights legislation.

He predicted the Senate would defeat a pending amendment to write a broad jury trial provi-

sion into the bill.

Some additional Republicans and Democrats lined up over the weekend in opposition to any such amendment, Knowland said, and the coalition is ready for a test vote at any time.

It had been expected that a vote on the jury trial amendment—the biggest remaining issue in the civil rights fight—might come today or tomorrow. But Senate maneuvering indicated a roll call may be delayed.

NO MORE FROM IKE

Knowland said he didn't anticipate any further statement from President Eisenhower on the legislation. This made it appear that administration forces in the Senate are now on their own to get the best terms they can for the bill.

Knowland disputed the idea that if the jury trial amendment is defeated it will be more difficult to get a final Senate vote on the bill which the House passed June 18.

It was then he said he is ready to meet a Southern attempt to talk the bill to death in a filibuster. The Senate is entering the fourth week of its debate on the legislation. In this period the bill has been reduced from one providing for enforcement of civil rights in every field to one limited to the protection of voting rights.

Under the voting rights section, the attorney general would be authorized to seek federal court injunctions against any violations or threatened violations of an individual's voting rights. Persons disobeying these injunctions would be subject to trial by federal judges without a jury.

JURY TRIAL ARGUMENT

It is to this section the jury trial amendment would be attached. Three Democratic senators, O'Mahoney (Wyo.), Kefauver (Tenn) and Church (Idaho), have proposed a change to guarantee jury trials for all types of criminal contempt, including labor cases.

Knowland, noting that the House had rejected similar amendments, said that if such a proposal is written into the bill

there would have to be a subsequent compromise with the House over the final language.

"We probably would encounter a filibuster then on the conference report," he continued. "If there is a filibuster, I am in favor of having it right now."

CHALLENGES JOHNSON

Sen. Clark (D-Pa) announced on the Senate floor he would not support a jury trial amendment to the bill as it now stands. He also challenged Sen. Lyndon B. Johnson of Texas, the Democratic leader, to say what labor leaders are supporting the amendment.

Johnson said Friday some labor leaders were backing the change, but he didn't name them.

Sen. Jackson (D-Wash.) threw his support to the amendment. "Trial by jury, just as the right to vote, is one of our traditional civil rights," he said.

Sen. Javits (R-NY) continued his opposition to the amendment with a "retreat no more" appeal.

"The attempt to put a white jury, from whose acquittal there is no appeal . . . between the law and the means of carrying it out is 'interposition' and will largely defeat whatever rights may be left in this bill," Javits said in a prepared speech.

"The time is now for the majority of this body who sincerely want a civil rights bill to stand fast and tell our opponents we will retreat no more—that we will stand united against further parliamentary gimmicks to split us."

MENTIONS OUACHITA

Javits, during his speech, mentioned the Ouachita parish case in Louisiana about which justice department officials testified in hearings on the bill. The New Yorker said it appeared 3200 Negroes were stricken from the voting rolls improperly in this case and that a grand jury would not even hear the evidence on it.

Sen. Long (D-La.) commented that "I agree, in my judgment in the Ouachita parish case, persons were challenged who should not have been challenged so far as the qualifications of voters were concerned."

"I personally disapprove of the incidents in which certain persons were challenged as voters in Ouachita parish who should not have been chal-

lenged.

"But that is the only case to my knowledge in which persons had been challenged when there was no basis for challenging them as voters."

'BACK COUNTRY AREA'

Sen. McNamara (D-Mich.) read to the Senate what he said was the most recent official statement of the AFL-CIO bearing on the jury trial amendment.

The statement, issued in May, endorsed the House version of the bill and specifically opposed a jury trial amendment.

Javits told the Senate "the essence of our case" is to try to do something about "the back country type of area, away from the main stem, and behind the times, where grave injustices still are being perpetrated" in voting cases.

Sen. Carroll (D-Colo.) tossed into the debate a suggestion that as an alternative for jury trials, Southerners might accept the idea of turning over contempt trials to three-judge panels.

THREE-JUDGE PROPOSAL

He did not however, offer this as an amendment. He said he has discussed it with some other senators, but was "speaking only for myself" in injecting the idea into the debate.

It drew no indications of acceptance from his Dixie colleagues. Carroll suggested that to "sandwich in a three-man court" might meet Southern objections.

Carroll made the suggestion in an exchange with Sen. Eastland (D-Miss) at the close of a speech by the Mississippi senator.

Carroll also suggested that the Senate has had enough discussion about the law in the weeks of debate. He said that "what we need now are some facts" about conditions in the South. He said the FBI has made an investigation in three Louisiana parishes and "we don't know today what was found."

ASKS ABOUT JURIES

Carroll asked whether Negroes are allowed to serve on juries in Mississippi and Louisiana. Eastland said they are

allowed to serve as jurors in a great majority of his counties, and Sen. Long (D-La) said Negroes can and do serve on juries in his state.

Eastland told Carroll "a lot of lurid charges were destroyed in the hearings" of the Senate judiciary committee on the still bottled up Senate civil rights bill.

Eastland said a witness from the National Association for the Advancement of Colored People, whose name he did not mention, ran out on an agreement to repeat under oath before the committee allegations about mistreatment of Negroes in the South.

'FLED,' SAYS EASTLAND

Eastland said the man agreed to come in and give sworn testimony, but "that night he fled Washington . . . those are the tactics we Southerners have had to face."

Eastland traced the history of civil and criminal contempt in a 30-page speech. He urged the Senate to adopt the O'Mahoney-Kefauver-Church amendment.

"I rise for the purpose of defending what I had long supposed needed no defense in this body—the right of trial by jury," he said. "I do so because we are witnessing a rare spectacle in the annals of American history."

"We are witnessing the advocacy of a proposal steeped in retrogression, a measure which would redirect our steps toward the iniquitous star chamber."

DEBATE IS LIMITED

Jury Amendment Is Given Primary Priority In Disputed Bill

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, Aug. 1.—The Senate agreed late Thursday afternoon to vote on a jury trial amendment to the Administration's Civil Rights Bill after no more than six additional hours of debate.

The agreement, which also allowed 30 minutes for considering

any perfecting amendments, was proposed by Senate Democratic Leader Lyndon B. Johnson (D., Texas) and was agreed to without objection.

The prospect was for one or more votes, depending upon whether any perfecting amendments were called up, starting late Thursday night.

New General Law

Still the "pending business" with top priority early in the night was an amendment by Senator Joseph C. O'Mahoney (D., Wyo.) and 12 other senators which would write a new general law requiring jury trials in all criminal contempt of court cases.

Included was a section which specifically would authorize Negroes to serve on Federal grand and petit juries.

It was the addition of this section a day earlier that had won new support for the jury trial proposal by attracting the backing of additional Eastern and border state senators.

Dixie senators indicated their confidence of victory by not blocking the agreement for a vote. A single objection could have frustrated it.

A day earlier, Senator Richard B. Russell (D., Ga.), Dixie leader, had blocked proposals to vote on the issue on either Thursday, Friday, or Saturday.

O'Mahoney Helps Out

His failure to object to the new proposal was interpreted as evidence the Southerners believed they finally had the votes to put through a satisfactory jury trial amendment.

The tide was reported to have shifted to backers of the amendment Wednesday night when Senator O'Mahoney's amendment was modified to cover Negro jurors.

Senators John F. Kennedy (D., Mass.) and John O. Pastore (D., R.I.), previously hostile to the jury trial proposal, swung aboard the modified version and thus publicly announced their support for it.

Dixie senators said the directive for Negro jurors would have no practical effect since for years Negroes have served on Federal juries in the South.

During the day, Dixie senators read a series of telegrams from Federal judges in their states to this effect.

Reply From Boyd

Federal Judge Marion S. Boyd

of Memphis wired Senator Albert Gore (D., Tenn.):

Failing this, these aspects of the bill could be corrected in free conference between the House and Senate, but this presupposes a willingness by the Administration in general and the President in particular to compromise.

there must be jury trials in criminal contempt prosecutions, step toward the enfranchisement of the Negro since the Emancipation Proclamation. Nevertheless, President Eisenhower has come out so strongly against the present bill that the question now is what he will urge the Republicans in the House and Senate to do in dealing with it from here on.

The Department of Justice is Memphis and Jackson divisions."

Similar telegrams were presented from Federal Judges William E. Miller of Nashville, Leslie R. Darr of Chattanooga and Robert L. Taylor of Knoxville.

By JAMES RESTON

Special to The

WASHINGTON, Aug. 5—There has been a substantial re-evaluation of the civil rights bill among northern liberals of both parties over the week-end.

The men who condemned the compromise jury amendment in the Senate during the last fortnight are now saying that they

are going to vote for the bill. Some are even saying that it may greatly increase the Negro's chances of voting in the South after all.

"I'm disappointed in the bill as it is," Senator Jacob K. Javits of New York said this afternoon, "but I want a bill and not a campaign issue."

There are others who would rather have the campaign issue, who want the Federal judges to have more sweeping authority, but the more the bill is studied, the more objective observers are inclined to believe that it would be effective. It is interesting and significant, for example, as an indication of how some liberal Democrats feel about this legislation, that the compromise jury trial amendment now in the bill was worked out in great detail by Dean Acheson, former Secretary of State, and Benjamin Cohen, in consultation with the Democratic majority leader, Senator Lyndon B. Johnson of Texas.

The Political Mileage

The Democratic liberals are quite conscious of the political mileage in this strategy, and for this, among other reasons, Paul H. Douglas of Illinois, Joseph S. Clark of Pennsylvania and Wayne Morse and Richard L. Neuberger of Oregon, to mention a few of the anti-jury Senators, are going to vote for the bill as it now is.

This, however, is not the only reason for today's second thoughts. In the legislative struggle of the last month, the Northern liberals have been concentrating on getting a bill that, in their judgment, could not be evaded by legal means or delaying tactics in the South. Now wrong to see the present bill that the heat has gone out of the battle in the Senate, some of them are looking at the more positive aspects of the compromise the Southern Senators have accepted.

Under the compromise, while

A Bill or an Issue?

An Analysis of Political Realignment In Wake of Senate Vote on Civil Rights

order and to put in jail for contempt anyone who defied his order. Also, he could insist that his order hold not only for the particular registrar who happened to have defied the court's order, but for his successor as well.

Bill Believed Effective

Finally, it is argued by some legal authorities here that if an election were held in which Negroes were disenfranchised in defiance of a Federal court injunction, the Federal judge would have the power to order the ballot boxes held until his order were carried out. These now powers still do not impress some of the Northerners, who wanted the Federal judges to have more sweeping authority, but the more the bill is studied, the more objective observers are inclined to believe that it would be effective.

It is interesting and significant, for example, as an indication of how some liberal Democrats feel about this legislation, that the compromise jury trial amendment now in the bill was worked out in great detail by Dean Acheson, former Secretary of State, and Benjamin Cohen, in consultation with the Democratic majority leader, Senator Lyndon B. Johnson of Texas.

It is also of some significance that despite appeals from Northern liberals in Congress, former President Harry S. Truman, Adlai E. Stevenson, former Democratic Presidential nominee, and Mrs. Franklin D. Roosevelt did not get into the public fight alongside those who went all-out against the jury trial compromise.

Thus, well-informed opinion here feels that it would be wrong to see the present bill as a trick promise which the South has accepted in bad faith and with intent to evade. On the contrary, many Northern liberals, including Senators Joseph O'Mahoney and Mike Mansfield, and Mrs. Acheson re-

Senator John L. McClellan (D., Ark.) offered messages in the same vein from Federal Judges Harry J. Lemley of Texarkana and John E. Miller of Fort Smith, and United States Atty. Osro Cobb of Little Rock. Senator James O. Eastland (D., Miss.) previously had submitted similar messages from Federal Judges Allen Cox and Sidney Mize of Mississippi.

However, a flurry of concern broke out among some Southern senators early Thursday night when it was realized the language of the section on jurors would permit women to serve on Federal juries, something now prohibited in some states.

It was not immediately clear whether an effort would be made to amend the section so that it would apply only to male jurors. The shifting tide in behalf of jury trials appeared evident during the day.

More Labor Support

The first break came when Senator Johnson announced to the Senate that 12 railroad unions had endorsed the proposal. He read the Senate a joint statement signed by the presidents of the 12 unions, which said:

"The right to trial by jury has been recognized as an essential safeguard of liberty since the birth of western Democracy. We therefore favor the enactment of an amendment to the Civil Rights Bill that would preserve or extend the right of trial by jury."

This demonstration of labor support came atop a previous endorsement by the United Mine Workers, headed by John L. Lewis.

Of labor organizations with announced stands, only the AFL-CIO opposed the proposal.

Next, Senator Francis Case (R., S. D.) broke ranks and took the floor to announce his support.

He noted that President Eisenhower, Senate GOP Leader William F. Knowland (R., Calif.),

and most Republican senators were against the amendment.

"It was a difficult question for me to resolve," he told the Senate, but added:

"After examining the whole question. It seems to me I cannot vote to deny people the right of trial by jury."

Lausche Joins In

Senator Frank Lausche (D., Ohio) followed Case with a statement in which he announced his support.

Shortly afterward, Senator Joseph Clark (D., Penn.), a Philadelphia lawyer, took the floor with a lengthy, legalistic opposition argument.

Aided by Senators Hubert Humphrey (D., Minn.) and Paul Douglas (D., Ill.), he held the floor for nearly two hours in an apparent effort to stem the tide.

Nevertheless, there were continuing, though unconfirmed reports of further defections in the ranks of the opposition.

These reports, filtering into the press gallery from various sources, told of several Republicans who might vote for the amendment.

Senator Chapman Revercomb (R., W. Va.), where the United Mine Workers are potent politically, announced after the six hours of debate commenced that he favored the amendment.

As the time for a vote neared, it appeared that the proposal would have the support of all but about eight of the Senate's 49 Democrats. And it appeared that enough of the chamber's 46 Republicans would defect to permit it to be adopted.

Both sides were continuing to muster their full forces. Ailing Senator Frederick G. Payne (R., Maine) was flying from his home in Maine aboard an Air Force plane to arrive in time for the vote.

THE JURY TRIAL ISSUE

A Lawyer Looks at the Southerners' Case

By SIMON TUCKER

The debate on the civil rights bill, rising to a crescendo in the House of Representatives last week, underscores the intense appeal which the hard-core Southern legislators have been making against the bill.

The Southern bloc has articulated, if emotionally, attacked the bill for providing that the Attorney General of the United States can go into Federal court, secure injunctions, and carry out contempt prosecutions to enforce civil rights protections under the bill.

The Southern attack has two facets: First, that this approach deprives people of one of the historic civil liberties—the right of trial by jury—in the contempt prosecution for violating an injunction, and, secondly, that the injunction mechanism is an improper way to enforce Federal laws.

The Southern spokesmen point out that a contempt action is just like a criminal prosecution with criminal penalties if a person is found guilty, and therefore a person should have the protection of jury trial just as in a criminal proceeding. Proponents of the legislation point out in reply that injunction proceedings are civil proceedings of the kind common in so-called "equity" courts, and there is no requirement of a jury trial in contempt prosecutions for violations of equity court injunctions.

Mr. Tucker is a lawyer in Federal service and a writer on public law subjects.

Point to Labor Laws

The Southern bloc points in its counterattack to the time when the shoe was on the other foot, and labor was being stifled in its disputes with employers by the use of Federal injunctions. Back in the Clayton Act of 1914, labor secured a provision saying that whenever a person was charged with violating a Federal court injunction by an act which was also a crime under Federal or State law, he could demand a jury trial in his prosecution for contempt. But this provision should not apply when the Federal Government was the party which had obtained the injunction.

Later, the Norris-La Guardia Act of 1932 added a more specific labor protection by providing that in any Federal contempt case growing out of a labor dispute, the accused person should have a trial by jury. This provision carried no exemption from the jury trial requirement when the Government is involved. The Southern argument leans on this in two ways:

• First, it argues that there is discrimination. In civil rights cases, a person charged with contempt for an injunction secured by the Attorney General cannot have a jury trial under the Clayton Act provision. A person accused of violating a labor injunction gets a jury trial under the Norris-La Guardia Act even if the Government is involved.

The trouble with this argument is that, when the Government secures an injunction against a labor union, this is not considered to be a labor dispute within the meaning of the Norris-La Guardia Act. Hence, jury trial can never apply in favor of labor when the Government is involved.

• Secondly, it points to things that labor said in support of jury trial, which condemn injunctions in general terms.

Thus, when the Norris-La Guardia Act was in bill form, Senator Norris, noting that the section on jury trial was to have "general application" and was "not confined to labor disputes," said:

The ordinary criminal laws provide that any person charged with a crime shall have the right to a jury trial. The person tried for contempt of court is tried for a criminal act. It is true this act has not been made criminal by a statute, but by the order of a judge. The judgment, however, can deprive the defendant of his liberty, can confine him to jail, and the length of the term of confinement is within the discretion of the judge who made the order. The judge becomes the legislature and, as such legislature, he makes something a crime that is not a crime under the general law. He then sits in judgment and tries the person who is charged with violating the law which he has enacted. What difference is it to the defendant, so far as his punishment is concerned, whether the law has been made by the judge or the legislature? His suffering is just as great in one case as in the other. Why should he be de-

prived of a jury trial when the law is made by one man instead of by the regular legislative authority?

This is a difficult argument to answer, and appears to be winning sympathy, among Congressmen outside of the Southern hard core, for allowing jury trial in the contempt prosecutions. It may be, however, that allowing jury trials in the contempt prosecutions would not too greatly affect the enforcement of civil rights protections.

Test Comes Earlier

The real trial of an alleged deprivation of civil rights occurs in the suit for an injunction. It is at this stage that the acts a person is doing or is about to do are judged as to their legality or illegality. Once given acts have been enjoined as unlawful, all that the jury in a contempt prosecution would have to decide is whether the person went on to do the acts defined in the injunction.

The jury in a contempt prosecution, therefore, has a restricted scope for passing judgment on the acts of an accused. This may very well discourage Southern juries from arbitrarily acquitting an accused person, even if inclined to favor him (as proponents of the legislation say they would), because they will be facing up to relatively clear-cut situations.

In the suit for the injunction, on the other hand, the question is whether a person is doing, or is about to do, things which are illegal under the vague standard of deprivation of civil rights. Here there is real room for a jury to favor an accused, without flying in the face of obvious guilt. And, the second major line of Southern attack on the civil rights bill is addressed to the injunction itself.

Labor Precedent

Here, again, the South has labor-liberal precedent to point to. In the Clayton Act, and even more severely in the Norris-La Guardia Act, the use of the injunction against labor was restricted, and the justification offered was the injustice, not so much in the lack of jury trial on contempt proceedings, as in the whole injunction procedure. This passage appeared in Senator Norris' report on his bill:

It is amazing to realize that in the last 40 years there has developed in the American courts the practice of writing a special law to fit the individual case by judges in issuing labor injunctions . . . a new law of labor disputes, fitting the law to each particular case, and then enforcing this new law made by the court. . . .

There can be no question, therefore, that there has been created . . . that condition of uniting the two powers of making and enforcing laws in one person or one body of men wherein, using the language of Blackstone, "there can be no public liberty."

There is, however, a difference that can be drawn between the labor injunctions and the injunctions under the civil rights bills. Labor injunctions typically were obtained by private employers as a mechanism for protecting existing rights, property and contractual. Injunctions under the Civil Rights Bill are a mechanism for governmental enforcement of Federal law, not for vindication of private rights.

Thus, proponents of the present legislation can point to some 30 Federal laws that have provisions for enforcement through injunctions obtained by the Federal Government.

But this is a sword that may cut two ways. The injunction was designed to be a special remedy available in so-called courts of equity to enforce "civil" or private rights between people, as in the case of employer and employees. The relationship between the Government and the people in the enforcement of Federal laws is not based on such private "civil" rights. The legal mechanism for enforcement of governmental laws against the people is typically criminal law, that is, criminal prosecutions for refusal to obey the laws.

Jury Trial Issue To Sway House Battle on Rights Roll Call Clears Way

For General Debate Beginning Today

By ROBERT K. WALSH

A trial by jury issue dominated formal start of the House struggle on the civil rights bill today and seemed certain to cause a close and bitter showdown vote next week.

A 290-117 roll call yesterday cleared the way for four days of general debate beginning this afternoon and probably another three or four days of battle over the jury trial and other amendment proposals.

Supporters of the bill backed by the Eisenhower administration and favored by many Democrats outside of the South saw that vote as a good omen for passage by perhaps a two to one margin. But they seemed far less confident about beating the jury trial guarantee demanded by Southern members.

Sentiment Divided

A Republican membership two-hour conference late yesterday disclosed considerably divided sentiment on that issue. Republican Leader Martin, while predicting that at least 87 per cent of his party colleagues in the House would vote for the bill, would say merely that "a majority" of them will vote against the proposed amendment.

The roll call for adoption of the procedural rule yesterday showed only 10 Republicans, including Representative Broyhill, of Virginia, siding with 107 Democrats in the opposition. Maryland's Republicans and Democrats voted for the rule. This test, however, was not especially revealing because it was not directly on merits of the measure.

Most of the first day of general debate this afternoon was to be devoted to explanation of the bill by its two principal House advocates, Representatives Celler, Democrat, and Keating, Republican, both of New York. Mr. Celler is chairman of the Judiciary Committee and Mr. Keating is the ranking Republican member.

'Fight on Our Hands'

Mr. Keating told reporters "we have a fight on our hands." He referred particularly to the Southerners' effort to write into the bill a requirement for jury trials of persons charged with defying Federal court injunctions.

tunity to stall, sidetrack or water down the bill by numerous amendments.

They endeavored especially to impress upon friends of the bill the necessity of remaining in or out of the House chamber.

Before taking the floor this afternoon to urge House adoption of the bill in its present form, Mr. Celler and Mr. Keating were active with other supporters in back-stage alarms and extra-

of citizens. "But," Mr. Keating added, "I believe we will succeed as people realize that this legislation were active with other supporters in back-stage alarms and extra-

Sees No Serious Amendment "The bill will pass without serious amendment," Mr. Celler said, "if the boys stand by and are assiduous. We'll beat the jury trial amendment if the boys

plan to take quick advantage of any

of citizens. "But," Mr. Keating added, "I believe we will succeed as people realize that this legislation were active with other supporters in back-stage alarms and extra-

of citizens. "But," Mr. Keating added, "I believe we will succeed as people realize that this legislation were active with other supporters in back-stage alarms and extra-

stand guard."

The one-hour debate on the procedural rule yesterday, while warm at times, was mild in comparison to the expected course of discussion and dissension from now on. It nevertheless emphasized that the biggest fight will center on the jury trial amendment proposal.

Representative Scott, Republican of Pennsylvania, attacked the proposal as "an attempt to change the whole concept of judicial procedure" in contempt cases. He said it would unnecessarily and perhaps unconstitutionally "hamper Federal courts in the exercise of their duty to enforce voting rights and secure the rights guaranteed by the Constitution to every American citizen."

Colmer Fears "Gestapo"

Replying to Mr. Keating's description of the civil rights bill as "a very moderate proposal," Representative Colmer, Democrat of Mississippi, warned it would dangerously "extend the already extended arm of the Federal Government into all States and concentrate still more power here in Washington." He said the measure would "set up a veritable Gestapo" under the proposed Civil Rights Commission and the Justice Department civil civil rights division under a separate Assistant Attorney General.

Representative Dies, Democrat of Texas, charged that the bill was "framed in distrust of the South." He asserted that it was designed "to appeal to the Negro vote and is based on political expediency." He denied that his State or others in the South violate voting rights of Negroes or that Southern juries would be biased in such cases.

Mr. Keating called the attention of the House to President Eisenhower's news conference criticism of the jury trial amendment. Mr. Eisenhower cited a statement by former President Taft in 1908 against the idea of putting a jury trial between a court and the enforcement of a court order.

This prompted another former President's son, Representative Roosevelt, Democrat of California, to declare later that "the White House will have to provide more than general statements for the bill and will have to do some work on individual members."

Rights Bill Fight Opens on House Floor Today

Southerners Resort To Parliamentary Tactics for Delay

By ROBERT K. WALSH

The Federal civil rights bill comes up in the House today with Southern opponents relying on a huge stockpile of parliamentary weapons to prolong the fight and recruit some Northern members at least for a jury trial amendment.

Further delay developed at the very start of House consideration of the measure. Southern members reportedly won a skirmish to confine today's floor discussion to the Rules Committee recommendation for four days of general debate and a procedure allowing any germane amendment to be offered thereafter.

Thus, instead of taking up the bill itself immediately after the one hour permitted for action on the rule, the four days of scheduled debate will start tomorrow instead of this afternoon. Even with a Saturday session, as tentatively scheduled for this week, general debate would continue through Monday. Debate on the numerous amendments to be urged by foes of the bill might consume the remainder of next week.

Supporters Confident

Supporters of the bill advocated by the Eisenhower administration and sponsored by House Judiciary Committee Chairman Celler, Democrat of New York, are confident it will be passed by the House. They recall that a civil rights bill, considerably "less palatable" to Southern members, was approved there last year.

The opposition this year makes clear that its main drive is to kill the bill rather than amend it. But, in the likelihood that the House will pass the measure in one form or another, they are pressing hard for an amendment assuring jury trials for persons charged with defying Federal court injunctions. This would apply to injunctions obtained by the Attorney General or private individuals in actual

or threatened violation of voting or other civil rights.

A similar amendment was voted recently by the Senate Judiciary Committee. This gave impetus to the move for its adoption in the House next week.

G. O. P. Leaders Offer

The importance of the impending House struggle over the so-called jury trial amendment was evident late yesterday at a meeting of Republican leaders at the White House. Representative Keating, Republican of New York, ranking minority member of the Judiciary Committee and principal Republican manager of the bill, said President Eisenhower vigorously opposed such an amendment.

Mr. Keating and others, including some Democrats favoring the bill, have remarked that the bill's chances of passage in its present form depend to a large extent on Republican House members holding the line. Mr. Keating said "it will certainly help" if President Eisenhower makes a strong public statement against the jury trial amendment.

Strategy Sessions Held

Groups of Southern members held strategy meetings yesterday for the long battle on the bill. They reportedly plan to use almost every weapon in the parliamentary armory to obtain "thorough" discussion of the bill on its merits and on numerous amendment proposals. Those proposed changes would affect practically every important provision in the bill.

The measure would create a Civil Rights Commission to investigate enforcement of voting and other civil rights, establish a bigger civil rights division headed by an Assistant Attorney General in the Justice Department, and authorize the Attorney General, in the name of the United States and in behalf of individual complainants, to seek Federal Court actions such as injunctions to prevent violation of voting and other constitutional guarantees.

jurisdiction should be exercised," he added. "Our subcommittee will try to determine whether the facts justify the action taken." And Senator Flanders added, "This decision could have serious repercussions from the standpoint of the continuance of the status of forces agreement. There should be strong representations to the Japanese."

Decision Surprises Many

The decision came as a surprise to many. Senator Bridges, Republican of New Hampshire,

chairman of the Senate G. O. P. Policy Committee, said it was "exactly the opposite" of what Secretary of the Army Brucker said would be done.

Senator Bridges said Mr. Brucker had declared the Army would assert jurisdiction over Girard on the ground that he was on duty at the time of the shooting. But the Senator added the Army Secretary was over-ridden because of a prior commitment by some one in the Defense Department. He said he assumed the subcommittee would look into this.

Girard, 21, re-enlisted in 1955 after a two-year Army hitch which had included service in Japan. He is engaged to marry a Japanese girl.

The Girard case is the first in more than 14,000 alleged law violations in which Japan has invoked a provision which gives its courts the right to decide whether the offender was on or off duty at the time. Japan has claimed jurisdiction in about 460 cases and tried about 435, of whom 89 were convicted.

Civil Rights Measure Would Guarantee Jury

Sen. Leonard Hall of Greene County, has one of the more interesting measures involving civil rights now before the Senate.

Hall's measure would guarantee jury trial to persons involved in certain Civil Rights violation — a subject much in the news from Washington.

His bill makes a misdemeanor of charges of willfully violating "the terms or mandate of any injunction issued by a judge or court of competent jurisdiction or in a case involving civil rights," and provides the jury trial.

He explained the measure was offered because no Alabama law now sets out specific provisions for such trials, and that under the U.S. code, such charges going into federal court from a state court follow, generally, the procedures set forth in the lower court.

Thus, a person going into federal court on such charges from the lower court could be denied jury trial. Under present law, he couldn't.



HALL

House Okays Rights Measure Without Jury Trial Provision

Another amendment by Rep. Ray (R-NY) to require the use of state court remedies in civil rights cases before any federal action is taken was defeated 146-127.

Rep. Brooks (D-La) tried unsuccessfully to amend the measure to limit trials in contempt of court cases to the judicial district in which the contempt occurred. This was defeated 118-108.

The House is expected to pass the bill, probably tomorrow. It passed civil rights legislation July 23, 1956, on a 279-126 vote, but the bill died in the Senate.

Those who are fighting to prevent the same thing happening this year got a setback when a plan to bypass the Senate Judiciary Committee and bring the bill directly to the Senate floor began to lose support.

The committee, headed by Sen. Eastland (D-Miss), has had the bill for months. Eastland is an avowed foe of civil rights legislation.

All the voting thus far has been on a tentative basis and without roll calls. Roll-call votes on the jury trial amendment and on final passage of the bill were scheduled for tomorrow.

When debate began today it looked as though a decision could be reached tonight on the controversial legislation. The vote was put over until tomorrow after Southern foes of the bill threatened to force an overnight delay by parliamentary means if necessary.

Any member may demand an engrossed copy of the bill, and no final voting is allowed until the bill is produced in that form.

Meanwhile the House defeated on a standing vote of 163-141 a proposal by Rep. Smith (D-Va) to write into the measure a statement of congressional policy favoring trial by jury for persons charged with contempt of court after violations of civil rights injunctions.

Supporters of civil rights legislation contended it was substantially the same proposal as that which was voted down 199-167 in a key test of the legislation Friday. They argued both proposals would have drained the bill's power to enforce observance of voting rights by court injunction.

Rep. Hoffman (R-Mich) protested in vain that "the right to vote is no good if you can't get a trial by jury."

10 1957

Jury-Trial Amendment On Rights Bill Planned

O'Mahoney Will Seek To Add Proposal

Russell Backs Him, but Still Opposes Measure

By The Associated Press

Washington, July 7.—Senator O'Mahoney announced today that he was drafting a jury-trial amendment he hoped the Senate would attach to the civil-rights bill passed by the House.

Senator Knowland of California, the Republican floor leader, has said he would move tomorrow to bring the House bill before the Senate.

Knowland's motion is subject to unlimited debate. He has indicated he would try to hold the Senate in lengthy sessions to wear out Southern speakers before attempting to force a vote on a debate-limitation motion.

Withholds Terms

Pending action by the Senate to bring the bill actually before it, O'Mahoney withheld the terms of his proposed amendment.

In general, it was expected to provide for jury trials in some contempt cases in Federal

Senator Eastland says the Administration's civil-rights bill will forcibly deprive newspapers of the right to conceal their sources of information. Story on Page 2.

Court actions brought by the Government to enforce voting and other civil rights.

Senator Russell (D., Ga.) said Southern opponents of the bill would back the O'Mahoney amendment. He made it clear that even if it were adopted, the Southerners would continue to oppose the bill by every means, including a filibuster.

'A Lot of Developments'

In an interview, O'Mahoney (D., Wyo.) left open the question of whether he would vote for a debate limitation, which can be applied only if 64 senators vote "yes."

"I'll decide on that later," he said. "There are a lot of developments in the wind and we'll see what they bring forth."

Southerners have been hop-

udices of the community. "White jurors, on the other hand, who might wish to see justice, have to go back into and be subject to the pressures of their communities."

DEBATE ISSUE OF JURY TRIAL IN RIGHTS BILL

Washington, June 14 (AP)—

House leaders sought a show down today on the hot issue of jury trials in civil rights cases, but apparently gave up hope of final action before next week on President Eisenhower's civil rights bill itself.

Democratic Leader McCormack [Mass.] told a reporter he sees no chance of a vote on the bill "before Monday."

Supporters of the bill tried but failed to short circuit by a parliamentary motion the long wrangle on an amendment to require jury trials in civil rights contempt cases. Rep. Forand [D., R. I.], presiding at the time, ruled the matter must go to a vote.

Two Surprise Moves

A long debate began immediately, but members said there still was some hope of a vote on the jury trial issue—the key controversy—later today.

Southerners, with some help from outside their section, were trying to amend the bill to require that when civil rights injunctions are obtained under its provisions, no one accused of violating them could be punished except on conviction by a jury.

Two surprise moves came in rapid succession as the house opened the jury trial debate.

The first was that the jury trial amendment was offered not by a Southerner, but by an Illinois Republican, Rep. Keeney.

Amendment Called Germane

JURY TRIALS

Rep. Celler [N. Y.], principal Democratic manager of the bill, sprang the second unheralded move by asking that the amendment be ruled out of order as not sufficiently related to the main body of the bill.

Rep. Church Assails It

After extensive debate, Forand held that the amendment would provide a restriction on procedures set up by the bill and therefore was germane. He denied Celler's motion.

Rep. Keeney said that as the bill is written, the United States is complainant, prosecutor, and judge "and just to sure the defendant gets convicted, they strip him of his right of trial by jury."

Rep. Marguerite Stitt Church [R., Ill.] assailed the amendment. In an obvious

reference to the acquittal of two white men in Mississippi who were accused of killing a young Chicago Negro, Emmett Till, she said, "When a jury refused to punish those who took young life . . . I knew that whatever my admiration for those from this part of the country, I would have to vote to protect not only lives but civil rights."

She said that therefore "I cannot vote for any amendments, however meritorious otherwise, that would destroy the effectiveness of this bill." She added, before sitting down amid a burst of applause from the supporters of the measure, "If one-tenth the brilliance that has been displayed here in opposition were devoted to protecting civil rights in the south, we wouldn't need this sort of legislation."

Rep. Powell [D., N. Y.], one of three Negro members of the house, said that when stripped of "hypocrisy, dishonesty, and subterfuge," the opposition to the bill arose because "a minority in this country has made up its mind that under no circumstance is it going to allow colored citi-

zens the right to vote."

"When American citizens are faced with juries in the southern section of the United States we know that a colored citizen cannot get equal justice," Powell said.

House Bars Civil-Rights Jury Trials Passage of Bill Believed Sure

By Don Irwin

WASHINGTON, June 14. — The House rejected 199 to 167 tonight the key jury-trial amendment on which Southern strategists pinned their hopes of watering down the Administration's civil rights bill.

The margin by which the bill's Southern foes were reversed on their central proposal to amend the bill appeared to assure the measure's passage when the House meets Monday for a final vote. But the battle will then shift to the Senate, where Southerners armed with the threat of filibuster are already force early consideration of the measure.

Today's action was by unrecorded teller vote, in which members make their will known by walking down the aisle past tellers. It can be reversed only by a successful motion on Monday to return the bill to the Judiciary Committee.

Final Vote Monday

Before acting on the jury-trial amendment, the House agreed to take a final vote by 6 p. m. Monday on the bill as a whole. The decision followed leadership warnings of an unpopular Saturday session unless there was an agreement.

The jury-trial amendment was drawn to revise the bill's procedure permitting the Attorney General to move for civil injunctions to halt practices that

infringe civil rights, specifically the right to vote. The bill would permit judges to find violators guilty of contempt of court and impose fines and jail terms. This is the usual practice in civil contempt cases.

The amendment would have made a jury trial of violators mandatory in all cases where the court's original injunction dealt with an act which "also constitutes a criminal offense under any act of Congress or under laws of any state in which it was done."

Side With South

In line with their strategy so far, Southern leaders left introduction of the amendment to a Northern Republican, Rep. Russell W. Keeney, Ill. A number of conservative Republicans sided with the Southerners in the five-hour debate. About thirty voted for the amendment.

Advocates of the bill in today's debate emphasized that jury trials are not employed in civil contempt cases. They warned that the amendment would block the main purpose, which is to achieve a speedy remedy to force a prompt end to violations of the constitutional right to vote.

Supporters argued that jury trials are already permitted in criminal-contempt cases. They held the right to a jury trial in matters that could involve criminal charges to be at least as important as the right to vote. They warned against the possibility of capricious enforcement by a "politically-chosen" Attorney General.

In rebuttal, Rep. John M. Vorys, R., Ohio, told the House jury trials are denied to union members who violate Taft-Hartley law injunctions, to business men who violate anti-trust laws, to defendants in divorce cases.

**ADD JURY TRIAL
TO RIGHTS BILL,
O'MAHONEY AIM**

New Orleans
**Southerners Will Support
Move, Says Russell**

By JACK BELL

WASHINGTON, July 7 (AP)—Sen. O'Mahoney (D-Wyo) announced today he is drafting a jury-trial amendment he said he hopes the Senate will attach to the civil rights bill passed by the House.

Sen. Knowland of California, the Republican floor leader, has said he will move tomorrow to bring the House bill before the Senate.

Knowland's motion is subject to unlimited debate and he has indicated he will try to hold the Senate in lengthy sessions to wear out Southern speakers before attempting to force a vote on a debate-limitation motion.

O'Mahoney Withholds Terms

Pending action by the Senate to bring the bill actually before it, O'Mahoney withheld the terms of his proposed amendment. In general, it was expected to make provision for jury trials in some contempt cases in federal court actions brought by the government to enforce voting and other civil rights.

Sen. Russell (D-Ga) said Southern opponents of the bill will back the O'Mahoney amendment. He made it clear that even if it were adopted, the Southerners will continue to oppose the bill by every means, including a filibuster.

In an interview, O'Mahoney left open the question of whether he would vote for a debate limitation, which can be applied only if 64 senators vote "yes."

'Developments in Wind'

"I'll decide on that later," he said. "There are a lot of developments in the wind and we'll see what they bring forth."

Southerners have been hoping that O'Mahoney would support them in their resistance to a debate limitation. They have about 20 votes from the South. They hope Sens. Hayden (D-Ariz.) and Frear (D-Del.) will join them in opposing a debate cut-off. They believe they have a chance to get as many as eight Republican votes.

That would put them on the borderline of the 32 votes necessary to defeat a filibuster-ending motion, if all of the present 95 members of the Senate were on hand for the test.

The Southerners delivered surprise support recently for Senate passage of the bill to authorize a high federal dam at Hells Canyon. Subsequently several Northern and Western Democrats voted with the Southerners against placing the House civil rights bill directly on the Senate's calendar.

No Deal, Says Mansfield

One of these, Sen. Mansfield (D-Mont.), denied this involved the matter is debated on the Senate floor. We are determined any "deal." Mansfield, a supporter of the Hells Canyon bill that the public will have an opportunity of realizing that we afterwards shelved by a House committee, said he will vote to mean business in getting civil end an expected filibuster rights legislation.

against the civil rights measure. "I wish there were some way of getting away from tying the civil rights proposal to the question of unlimited debate," he said. "But when it comes to a vote I will vote for cloture (debate limitation)."

O'Mahoney's jury trial amendment is certain to be fought vigorously by Republican and Democratic supporters of the civil rights bill. They claim it would "emasculate" the measure because, they contend, Southern juries won't convict violators of court orders in civil rights cases.

Sen. Douglas (D-Ill.), a supporter of the bill, said he thinks southern judges can be depended upon to do what is right in civil rights cases.

"They are not prejudiced men," he said. "They live in the South. These federal judges were in most cases appointed by southern senators, and were approved certainly by them. And they have life tenure, so that they are in a sense insulated against the passions and prejudices of the community."

"White jurors, on the other hand, who might wish to see justice, have to go back into and be subject to the pressures of their communities."

Douglas appeared with Sen. Javits (R-N.Y.) on an AFL-CIO radio program in support of the civil rights measure.

The two agreed southern opponents ought to have the opportunity to debate the bill for two weeks before action is taken to end the talk.

Russell View Correct—Javits Douglas said a filibuster will be difficult to break.

Javits said Sen. Russell (D-Ga.) was correct in telling the Senate last week that the terms of the proposed new law could be applied to school integration cases. But he denied there was involved any "threat of force" or "bayonet rule" such as Russell suggested.

Sen. Purtell (R-Conn.) said in a recorded radio program that Senate proponents of the bill "mean business in getting civil rights legislation."

He predicted a Southern filibuster against taking up the measure, but added:

Senator Drafts Advises P.1 Rights Rider Mon. 7-8-57 For Jury Trial

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Knowland's motion is subject to unlimited debate and he has indicated he will try to hold the Senate in lengthy sessions to wear out Southern speakers before attempting to force a vote on a debate-limitation motion.

TERMS WITHHELD

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In an interview, O'Mahoney left open the question of whether he would vote for a debate limitation, which can be applied only if 64 senators vote "yes."

DEBATE STRATEGY

"I'll decide on that later," he said. "There are a lot of developments in the wind and we'll see what they bring forth." Southerners have been hoping that O'Mahoney would support them in their resistance to a debate limitation. They have about 20 votes from the South. They hope Sens. Hayden (D-Ariz.) and Frear (D-Del.) will join them in opposing a debate cut-off. They believe they have a chance to get as many as eight Republican votes.

That would put them on the borderline of the 32 votes necessary to defeat a filibuster-ending motion, if all of the present 95 members of the Senate were on hand for the test.

The Southerners delivered surprise support recently for Senate passage of the bill to authorize a high federal dam at Hells Canyon. Subsequently several Northern and Western Democrats voted with the Southerners against placing the House civil rights bill directly on the Senate's calendar.

One of these, Sen. Mansfield (D-Mont), denied this involved any "deal." Mansfield, a supporter of the Hells Canyon bill afterwards shelved by a House committee, said he will vote to end an expected filibuster against the civil rights measure.

O'Mahoney's jury trial amendment is certain to be fought vigorously by Republican and Democratic supporters of the civil rights bill. They claim it would "emasculate" the measure because they contend, Southern juries won't convict violators of court orders in civil rights cases.

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RADIO PROGRAM

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Letters to the Editor

Post & Times Herald Nov. 7-15-57
Jury Trial Compromise: An Exchange

Washington, D. C.
 Inasmuch as your lead editorial of July 10, "O'Mahoney Compromise," refers to the possible difference between my proposal and Senator O'Mahoney's amendment, perhaps my letter to the Senator will be helpful in clearing up the matter. The text follows:

On July 9, newspapers carried reports dealing with the Senate's consideration of the civil rights bill now pending there, and with an amendment to that bill which you have offered to require jury trials of injunction violation charges. "If it appears that there are one or more questions of fact to be determined."

In both of these accounts you are reported to have said that the proposed amendment is based on proposals contained in my article on civil rights in the New York Times, published June 16.

It was not the purpose of that article to frame a particular legislative proposal, but rather to describe the nature of the jury trial controversy and offer a method of approach to its solution. If the suggestions in the article should prove helpful in resolving the controversy in line with the policy of the bill and the requirements of justice, I would of course be deeply gratified.

However, since my name has been publicly linked with the O'Mahoney amendment, I would like to make it clear that this amendment is considerably broader than, and in important respects inconsistent with, the suggestions in my article. Strictly speaking, there are "questions of fact" in every legal proceeding, and I am fearful that, as presently worded, the amendment might either result in the impaneling of a jury in virtually every case that might arise under the bill should it become law, or that it would cause such confusion and suffer such conflicting judicial interpretations as might seriously diminish the new law's usefulness.

As a general proposition, I believe that court orders, in-

cluding injunctions, should be enforced against the parties to legal proceedings by judges, without the use of juries, as has been the practice in this country for centuries. Ordinarily, the parties to a proceeding will have had full opportunity to be heard on the issuance and terms of the injunction.

Furthermore, in many civil rights cases the injunctions would affect persons only in their official capacities, so that the facts with respect to their compliance will be matters of public record, and the summoning of a jury would be especially inappropriate.

Where an injunction purports to bind not only the parties to a proceeding but also the public at large, the situation may be quite different, and it was to this type of injunction that the suggestions in my article were chiefly directed.

Such an injunction might be invoked against persons who have never had their day in court with respect to its issuance or phraseology, and who may even have been ignorant of its existence. Such an injunction likewise bears a strong resemblance to a criminal statute of general application; it may well apply to circumstances which are touched by violence or where, for other reasons, the facts with respect to individual conduct are seriously disputed.

Factual issues of this type may properly be committed to juries.

Accordingly, if the amendment were to be included in the civil rights bill, in my opinion it should be limited so as to apply only to contempt charges against persons who are not parties to the proceeding from which the injunction was issued, and only to such questions of fact as are disputed.

I must add, however, that in my opinion it would be unfortunate should Congress enact any jury-trial provision for exclusive application to civil rights proceedings. It is in this respect that this amendment is entirely contrary to

the views expressed in my article.

The method of enforcing Federal court injunctions is a general problem of judicial procedure. While there may sometimes be good reason to vary the procedure depending upon the subject matter of the case, certainly this should never be done except for the most compelling reasons.

The trend back to uniformity is already manifest in the labor field where, despite the special jury trial requirement of the Norris-LaGuardia Act of 1932, injunctions are now generally enforced by judges without juries, pursuant to the Taft-Hartley and earlier National Labor Relations Acts.

If the civil rights issue has pointed up the need for reviewing Federal legislation governing injunctions, it seems to me that it would be far more orderly, and wiser as a practical matter, to do so by way of a separate bill of general application, rather than by an amendment to the civil rights bill, applicable only to civil rights proceedings.

Accordingly, it seems to me that the Senate and House Judiciary Committees might appropriately consider new legislation to replace the special injunction provisions of the Clayton Act of 1914 and of the Norris-LaGuardia Act, and obtain the views and recommendations of bar associations and lawyers interested in the problem. Such a step need not be unduly time-consuming or delay final action on the civil rights bill, especially as it now appears that the debate is likely to be protracted.

Despite my objections to the particular amendment, you have offered, it will serve a useful purpose by demonstrating that this important public issue, like most others, admits of more than one solution. Of course there are many, and it is indeed fortunate the Senator has brought his legislative experience and distinguished abilities to bear on the search for the best one.

TELFORD TAYLOR.
 New York.

Editor's note: Following are excerpts from a reply addressed to Mr. Taylor by Senator O'Mahoney:

I am happy to acquit you of any part in drafting the amendment which I have proposed. It was wholly clear to me from the first that your article was not designed "to frame a particular legislative proposal," and if there be any doubters on this point I should be glad to have you tell them that I have explicitly approved your desire to dissociate yourself from it.

The one clear and most important argument in your article, as I read it, was your statement that racial discrimination is a "social ailment." It cannot, therefore, be measured by the technical rules of legal procedure. This I frankly thought was your conclusion as well as my own. Your letter makes clear that I was in error in interpreting your meaning.

Injunctions, cease and desist orders, restraining orders issued in economic controversies, are altogether different, in my opinion, from such orders issued in race discrimination cases, particularly when the acts alleged to have been committed or in danger of being about to be committed involve force or violence or other criminal aspect.

The House bill goes far beyond the protection of voting rights and extends to unimagined and unforeseeable incidents, past and present, which if made the domain of a presidential commission or the intervention of an Attorney General could seriously aggravate the social ailment we seek to cure.

Judges and lawyers, newspaper writers, and members of Congress have no immunity from emotional distraction. It is therefore important, from my point of view, if we are to cure this unfortunate racial ailment, the existence of which in the United States everyone must acknowledge, that the civil rights law needs a jury trial amendment of the character I have proposed, not only because it is a very special and exceptional social ailment, but because the people of the South as a whole have

already demonstrated a basic desire to remedy this social illness.

I think it can be more effectively cured by the action of juries than by the action of judges who, in the House-passed civil rights bill, are clothed with discretionary powers in both civil and criminal acts that are really abnormal in the American judicial system.

An attempt now by new legislation "to replace the special injunction provisions of the Clayton Act of 1914 and of the Norris-LaGuardia Act" and other laws, as you suggest, would, I fear, introduce a complication far more serious than any now involved in the civil rights controversy.

I am confident that the Senate is now ready to rewrite this bill and, with the jury trial amendment as a key, unlock the chains that have heretofore delayed, but without making progress impossible, the extension of free and equal voting rights to all citizens of the United States.

JOSEPH C. O'MAHONEY,
 Senator from Wyoming
 Washington.

Senator Eyes Jury Trial Plan in 'Rights' Bill

WASHINGTON — (AP) — Sen. Joseph C. O'Mahoney (D., Wyo.) announced Sunday he is drafting a jury-trial amendment he said he hopes the Senate will attach to the civil rights bill passed by the House.

Sen. William F. Knowland of California, Republican floor leader, has said he will move Monday to bring the House bill before the Senate.

Knowland's motion is subject to unlimited debate and he has indicated he will try to hold the Senate in lengthy sessions to wear out Southern speakers before attempting to force a vote on a debate-limitation motion.

Pending action by the Senate to bring the bill actually before it, O'Mahoney withheld terms of his proposed amendment. In general, it is expected to make provision for jury trials in some contempt cases in federal court actions brought by the government to enforce voting and other civil rights.

Sen. Richard B. Russell (D., Ga.) said Southern opponents of the bill will back the O'Mahoney amendment. He made it clear that even if it were adopted, the Southerners will continue to oppose the bill by every means, including a filibuster.

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O'MAHONEY



RUSSELL



KNOWLAND

Brownell Cites Mississippi Cases

WASHINGTON, April 24 (U.P.) — Atty. Gen. Herbert Brownell Jr. said today "lack of jurisdiction" has blocked his department from intervening in "shocking" civil rights cases in Mississippi despite "great pressure" for action.

Brownell urged Congress in his annual report to enact the administration's civil rights program to give the government "more flexible" powers.

Among the incidents cited by Brownell were the killing of the Rev. George W. Lee and the shooting of Gus Courts in Belzoni, Miss., both leaders in Negro civil rights movements. Neither shooting was solved. He also noted the kidnapping and murder of Emmett Till in Mississippi.

"Many thousands of letters were received with demands from all over the country for intervention by the department," said Brownell, "but no prosecution was undertaken because in each instance investigation showed the circumstances amounted only to violations of state laws."

Civil Rights Jury Favored

Louis - Dispute
Says Gains to Come from Trusting Citizens

By DAVID LAWRENCE
WASHINGTON — It was a wise move on the part of the Senate judiciary committee this week to recommend that jury trials be provided by law in contempt cases arising out of the enforcement of "civil rights." It will do more to help the cause of public understanding on the integration-segregation issue and similar questions than anything the Congress or the courts have done thus far.

This is because the action by the Senate committee comes at a time when emotion has been substituted for reason in many parts of both the North and the South in dealing with matters of law and constitutional rights.

A dramatic example was the case last week in Montgomery, Ala., when a white jury acquitted two white men who were defendants in a case involving the dynamiting of a Negro church. No one was injured, but property was damaged. It was apparent from the way the case was summed up

by the prosecuting attorney and defense counsel that the issues were presented in the background of current antagonisms. Although the defendants had signed a confession, the claim was made later that it had been irregularly processed—that it wasn't made at police headquarters but in a hotel room, under circumstances which led to the expression of many doubts.

THIS CORRESPONDENT spent the week end in Alabama and talked to many people about the integration question. Many people who are on the anti-integration side were shocked by the verdict

of the jury at Montgomery. Yet in some respects the verdict wasn't surprising. As one man in the South put it, "Why should not 12 men in Alabama express their feelings in a verdict, when nine sociologists on the supreme court do the same thing?"

Emotionalism has brought a state of tension that is not going to be cured by any provision of law denying jury trials merely because the privilege has been, or might be, abused. While contempt committed inside a courtroom has always been punishable by a judge without a jury trial, and attempts to violate directly the terms of an injunction are ordinarily within the power of a judge alone to punish, the real issue is whether the judge's injunctions can be stretched to cover crimes committed outside the courtroom itself that normally are tried by juries.

It is better, therefore, for Congress to err on the side of caution and to put faith and trust in the people in all sections of the country, rather than to assume in advance that they cannot be trusted in the jury box. To apply such faith is to follow the path of reason as against emotionalism.

FOR THE RACIAL questions are far from settled and those persons who think that, by the order of any court, the people of the South or of any other section will

approve an edict which they honestly believe is not constitutional just do not understand the workings of human nature. The crusade, for instance, against the 18th Amendment on prohibition—the willful disregard of the provisions of the law by millions of people—showed clearly that a reform which isn't sold to the people in advance by thorough understanding isn't accepted just because it is solemnly proclaimed as "the law of the land."

A condition rather than a theory confronts the nation in dealing with the racial question. Now it has begun to present problems in all parts of the country and not just in the South. Violence will not solve it, nor will coercion by broad injunctive orders of the courts. An adjusted society has to come voluntarily out of the processes of reason.

The law's amendment which would grant jury trials in contempt cases involving alleged crimes is bound to assist the cause of reason. It puts the responsibility squarely upon the people to see that jury trials are fairly conducted.

There are, of course, extremists on both sides. Their number will diminish, however, only as a sense of fairness develops through the application of reason instead of violence. That's why the grant of a jury trial in criminal contempt cases would be a progressive step toward a better understanding of the responsibilities of citizenship. But if Congress does deny jury trials, far more ground will be lost than gained in the emotionally complicated, if not presently unsolvable, problem of sociology and government.

RIGHTS LAW'S TRIAL BY JURY BAN DEBATED

Chicago Tribune
Celler Is Chided Over Contempt Stand

BY PHILIP DODD
(Chicago Tribune Press Service)
Washington, May 7—House rules committee consideration

of President Eisenhower's civil rights program was delayed today as committee members wrangled with Rep. Celler [D., N. Y.] over federal labor laws and the right of trial by jury.

One of the most controversial features of the civil rights bill, sponsored by Celler, who is chairman of the house judiciary committee, is a provision which would permit punishment without a jury trial of civil rights violators adjudged in contempt of court.

Celler was chided by Rep. Colmer [D., Miss.] at today's rules committee hearing for having insisted 25 years ago on having the Norris-La Guardia act provide for jury trials for violators of the rare labor dispute injunctions permitted by that law.

Celler contended the Taft-Hartley labor law of 1947 in effect repealed the trial by jury provisions of the Norris-La Guardia act. They were written into the earlier law, he said, to end abuses of the injunction procedures in labor cases. "The courts had 'learned their lesson,'" he said, by the time the Taft-Hartley law was written.

Rep. Smith [D., Va.] rules committee chairman, challenged Celler's assertion the Taft-Hartley law had changed the Norris-La Guardia trial by jury provisions and told the New Yorker to bring in a brief in support of his stand.

Required Jury Trials
The Norris-La Guardia act outlaws federal court injunctions in labor disputes except in cases of violence beyond the control of local police authorities. It requires jury trials of offenders before such injunctions can be made permanent.

The Taft-Hartley law permits injunctions in labor dispute cases not covered by the Norris-La Guardia act, such as unfair labor practices and national emergency strikes. It makes no provision for jury trials for violators of such injunctions.

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Eisenhower Prefers Taft Opinion On "Jury" Trials

WASHINGTON, D.C. — (NNPA) — President Eisenhower indicated Wednesday that he prefers the opinion of President

(later Chief Justice) William Howard Taft on the question of jury trials in contempt cases to the opinions of opponents of civil rights legislation given in the heat of

Southern opponents of civil rights legislation are contending that the Eisenhower Administration's proposals would deprive persons of the right to jury trial in contempt cases arising under pending bills in both the House and Senate.

Attorney General Herbert Brownell, who submitted the proposals to Congress, the American Civil Liberties Union, and other supporters of civil rights legislation assert that the jury trial argument is designed to nullify such legislation.

The key provision in pending civil rights bills would authorize the Attorney General to bring civil suits in the name of the United States to enjoin threatened deprivation of the right to vote or threatened violations of other civil rights.

Under present law, a person charged with contempt of court for violation of an injunction is not entitled to a jury trial where the United States has brought the action for injunction, as would be the case under the proposed legislation.

NEWS CONFERENCE

The jury trial question came up at Mr. Eisenhower's news conference when a reporter asked the President:

"I wonder if you would care to add any comment to that of the Attorney General on efforts of opponents to add crippling amendments, such as the jury trial amendment, to your civil rights proposals?"

Mr. Eisenhower replied:

"Well, I don't think I have any to add. One thing I have been struck by — it was Chief Justice Taft's comments on a similar effort, and he stated that if we tried to put a jury trial between a court order and the enforcement of that order, that we are really welcoming anarchy."

"Now, I think most of us here are not great constitutional lawyers, but, Mr. Taft, by the way, made that statement when he was President in 1908, but there is no evidence that he ever changed his mind; and I would take his opinion far more than I would an opinion that was given in, let's say, in the heat of partisan argument."

JURY TRIALS

Trial by Jury

The right of an accused person is a basic American right. So is the right to vote. Good liberals and good conservatives uphold both. But in Congress some of them may be confused when Southerners tell them they must not pass a civil rights law protecting the right to vote because that law would take away the right to trial by jury.

It is a false issue. The proposed legislation says that officials who try to keep people from registering and voting may be enjoined to stop the process by a federal court. And if they disobey the court, they may be sentenced for contempt. Now whether a man has obeyed a clear court order is a matter of fact, easily established. No jury is needed to protect his rights because they aren't in danger. Obviously, if he obeys the court, the court is not going to punish him for disobeying.

This principle is so well established that it has hardly been brought into question until now. In matters far less important to us all than the right to vote, judges issue injunctions and punish defiance of them, all without the help of juries. Some of the very states which profess to be concerned over the right to vote have passed laws forbidding the NAACP to engage in activities such as assembly and propaganda, which are constitutional rights. NAACP officials who engage in such activities are subject to injunction, and to punishment without trial by jury if they disobey.

The reason southern congressmen are insisting on trial by jury of persons charged with violating civil rights injunctions is that they expect southern juries to acquit guilty officials in disregard of the facts. If you think they wouldn't do just that, you haven't read about what happened this week in Montgomery, Ala.

A jury there acquitted two young white men charged with bombing four churches, a Negro taxi stand, two ministers' homes, and other rouses. Were they guilty? Their lawyer talked as if he thought they were.

The lawyer said their acquittal would give encouragement to every white man, woman, and child in the South who wanted to preserve "our sacred traditions" of segregation. He said a verdict setting them free would "go down in history as saying to the Negroes that 'You shall not pass.'" Clearly, an acquittal could not have such effects if the accused were innocent.

The right of trial by jury is basic. It is not threatened by long-established injunction practices. But it is grossly perverted wherever juries acquit men they know to be guilty. If the civil rights law is amended to permit—and encourage—such perversions, the right to a jury trial will not be strengthened but weakened.

—Journal Every Evening

Rights Bill

Rapid Passage

Miami, Fla. Likely

By THOMAS L. STORES



sion.

There it will, of course, encounter a sure filibuster. But now Republicans and Northern Democrats indicate a will to break such a filibuster. That coalition has the votes.

★ ★ ★

ANYONE trained in detecting the atmosphere of the Senate can sense now a new determination among Republican leaders that has an inevitability about it.

You can detect a contrasting spirit of defeatism and desperation among the back-to-the-wall Southern Democrats.

The two top Republican leaders in the Senate, Vice-President Richard M. Nixon and Senate Leader William F. Knowland, both are running as hard as they can for president.

Each is doing everything he can for civil rights legislation to identify himself and his party with a cause and an issue that counts heavily in big urban centers.

★ ★ ★

THIS STRATEGY of concentrating largely on the right to vote is credited to Attorney General Herbert Brownell Jr., a shrewd political strategist.

Civil rights is an issue upon which the Republican party in Congress can join almost unanimously. It divides the Democratic party most sharply.

It is to the advantage of Republicans to keep it constantly to the fore, thus preserving the public picture of a Democratic party in a noisy and nasty family quarrel.

RALPH
Constitution
MCGILL
Jus. 7-16-57
The Right
To Vote

Senate filibuster over the civil rights legislation may not be nearly so long as has been so

insistently heralded often in Jeremiah-like fashion.

Sen. Richard B. Russell already has won a major victory. A fight will be made for the three-point bill as passed in the



house. But section three will be eliminated. This provision provided for the initiation of injunctions by the Department of Justice in attempted, or actual, violation of the civil rights of any citizen.

A second achievement is regarded as probable. As passed by the House, the right of jury trial in contempt cases is not provided. This, it now seems, likely will be restored. In matter of fact, no Southern states permit jury trials in contempt cases. But so deeply ingrained is the American right of trial by jury that the Senate almost certainly will amend the rights bill to include it.

These two triumphs by Southern opponents of the legislation will not be without cost. It will leave them in a position where they cannot make an effective filibuster against the remaining section—that of the right to vote. They will, of course, speak and vote against it as a protection of political fences. But just as the right to jury trial is an essential ingredient of the American tradition, so is the right to vote.

Jury Trial

Being for the right to vote and that of trial by jury is as axiomatic as being against sin. And so, it follows that in the very nature of things the rights legislation which finally emerges will be largely that of the right to vote.

That will be, in itself, one of the major steps in the long struggle to provide equal rights before the law for all citizens.

It is true, of course, that the right to vote now exists. But the South long has had an Achilles heel here as it did in the separate-but-equal law upset by the court in May, 1954. Had the separate-but-equal provision of the law and constitution been carried out in schools and transportation, much of today's travail would have been avoided. Cynical disregard of that requirement left the South vulnerable.

So it is with the right to vote. Within the past 15 years the right to vote has been largely established in the major Southern cities. But only those persons who wish to be fed always on pabulum instead of reality are blind to the fact that the right

to vote in most of the rural areas of the South is either limited or largely denied. It is precisely this fact which, after a few weeks of sound and fury and bitterness of debate, will see enactment of legislation designed to extend, and protect, the right to vote.

Injunctive Powers

The South set out to defeat the provisions for injunctive powers by the Department of Justice, and to provide a jury trial in contempt cases brought under rights legislation. All signs point to the fact Southern senators already have accomplished this. Having won their fight they now are in an almost impossible position of making more than a furious, oblique fight against further protecting the right to vote. This all adds up to a shorter filibuster than has been indicated.

It is an odd fact that this bill should have been before the Congress for almost two years and that so little discussion of it has been had until now. And much of it, unhappily, has been in partisan terms so that the public has had difficulty getting the full picture.

The injunctive features were ambiguous. They would have, in the hands of an administration so desiring, provided a coercive force. This would have been against the spirit, and the provisions, of the Supreme Court school decision. The court did not, although the fact has been obscured, seek to "ram" its decision down anyone's throat. On the contrary, it took a positive stand against coercion.

The right to vote protection will be a Gargantuan step forward in what Sen. Russell referred to as "evolution." It profoundly will affect political attitudes.

The Jury Trial Vote: Reason Prevailed

THE SENATE'S 51-42 vote in favor of a jury trial amendment was a remarkable victory because the decision was based purely on the merits of the opposing arguments.

Southerners were forced to carry the burden of proving that the civil rights bill as originally drawn was wrong. They had to overcome formidable doctrinaire views and—as was displayed a number of times, particularly in the debate on

Part III—unbelievable ignorance on the part of Senators who supported the bill without having the foggiest understanding of it.

The victories, on Part III—the infamous bayonet section which would have permitted use of federal troops to enforce any and all Supreme Court decisions, including school integration—and now the jury amendment, were won solely on argument and reason.

Heretofore, Southern senators have in desperation been forced to filibuster, believing that logic and calm argument would have no effect against the bigotry of some members of the Senate.

This time they decided on a different tack—to argue the merits, holding the filibuster only as a weapon of last resort. The very viciousness of the bill was their best ally.

The results have been gratifying. First Senator Russell exposed the un-American trickery in Part III, which by labyrinthine deception reinstated dusty Reconstruction statutes permitting the President or the attorney general to use troops against the Southern enemy.

Many senators, as well as the President, were astonished at the sneaky way the bill had been drawn.

This exposure branded the bill for what it was: a punitive, spite measure to placate the radical demands of a militant "minority" group. Even after Part III was lopped off, the bill remained suspect.

The proposed jury trial amendment was denounced by Douglas, Knowland, Javits and others as perversion of the traditional practice of enforcing a court's injunctions by judicial contempt findings. This argument seemed to have some reason until you looked at the broad purpose of the bill to set up a kind of judicial monarchy over the South.

The denial of the right to vote, and other rights, is a criminal concept, but the supporters of the bill tried to circumvent the criminal procedure and make the federal government prosecutor, judge and jury, and chief registrar.

Southerners set out to prove that this part of the bill treated the South as an occupied province and not as a section

of the United States. They succeeded.

Neuberger On Haircuts

Senator Richard L. Neuberger of Oregon, whose first Great Issue in Washington was a stirring defense of the White House squirrels which were being trapped and relocated by the President, is very distressed over the Air Force's conviction of Airman Wheeler.

Wheeler is the boy who refused to have his hair cut "white side wall" fashion when ordered to by an officer, was court martialed for disobeying the order, but later excused from his sentence after the Air Force apparently got cold feet.

Said Senator Neuberger of the court martial: "absurd, petty, frivolous, cavalier, humiliating." Senator Neuberger is never at loss for some adjectives in defense of the downtrodden, be they squirrels or curly airmen, but we suggest he tell that to the millions of men who have served in the U.S. military since the following order by Gen. Wilkinson, Supreme Commander of the U.S. Army from 1797 to 1809, was issued in 1801:

For the accommodation, comfort and health of the troops, the hair is to be cropped without exception, and the General will give the example. Whiskers and short hair will accord. They will not therefore be permitted to extend lower than the bottom of the ear. The less hair about a soldier's head, the neater and cleaner he will be.

Since then, military hair styles have become much more severe. But whether or not the order was petty, etc., as the senator said, it was an order. If enlisted men are allowed to ignore every order they consider silly there would be no drill, no discipline, no Army, no Navy, no Air Force.

The Air Force was right in court martialing Wheeler, wrong in bowing to pressure and letting him out of the guard house.

We expect to see Elvis hair-dos on servicemen as a result. We trust it will be called "the Neuberger" in honor of the senator who was among those who made it possible by their loud, ridiculous defense of Wheeler.

10 1957

JURY TRIAL

Brownell Congratulated For Opposing Jury Trial Amendment

WASHINGTON, D. C. — (NNPA) — Senators Thomas H. Kuchel of California and Clifford P. Case of New Jersey, both Republicans, congratulated Attorney General Herbert Brownell "for his clear and frank statement" in opposition to the jury trial amendment to the civil rights bill.

But Senator John J. Sparkman, of Alabama, the 1952 Democratic nominee for Vice President, praised the Senate Judiciary Committee which tacked the right to jury trial amendment on the Hennings-Dirksen civil rights bill by a vote of 7 to 3.

Southern opponents of civil rights legislation will offer a similar rights bill when the measure is read in the House next week for amendment.

In identical letters to Senators Kuchel and Case and Representative Kenneth B. Keating, Republican, of New, Attorney General Brownell said the jury trial amendment would nullify the Eisenhower Administration's civil rights proposals which are embodied in the Senate and House bills.

LEGISLATION NEED SEEN

In a joint statement, Senators Case and Kuchel said:

"There is a definite need for the right to vote (civil rights) legislation, but it should not be encumbered by the (jury trial) provision. Many people do not understand that neither the Constitution nor prior legal precedent provides for a jury trial in contempt cases of the kind which might arise under the provisions of the right to vote bill.

"As the American Civil Liberties Union recently pointed out, 'While there is always need to guard vigilantly against the misuse of government power . . . there is also need to prevent weakening of the power of our courts to uphold the law of the land.'

"The right of equal treatment under law is fatally undermined when community sentiment blocks the enforcement of law."

"Enforcement of the law has been undermined in some sections of the country where community sentiment has blocked effective enforcement of the right to vote."

"If court orders are to be respected in cases of this kind in which the Federal Government seeks to uphold public policy, the courts must be able to punish con-

temptuous acts."

SPARKMAN CHARGES

Senator Sparkman charged that the civil rights program would violate the rights of citizens rather than protect them.

He said Congress would be setting "a dangerous precedent in tampering through legislative ad-

with the Constitution and our whole underlying judicial system of jury trials -- a system that predates our Constitution."

"The old, old principle of trial by jury is one that has stood the test of centuries and been proven judicially sound."

Senator Sparkman claimed that his record shows he has consistently worked and voted for what he considers to be the well-being of small business and the low- and middle-income groups of both white and colored people.

He said his record also shows that he has "always opposed the efforts of those who seek to legislate on the so-called civil rights issue."

"Such legislation would impair the rights guaranteed in the Constitution to all our people."

The record also shows that Alabama has the worst record on disfranchisement of colored people of any state in the Union except Mississippi.

country's highest tribunal in its recent decisions.

One resolution adopted in the windup session of the association's 80th convention here stated that:

"Recent decisions from the Supreme Court of the U. S. evidence a definite trend, the effect of which is to reduce the courts of last resort in the several states to the status of inferior tribunals in the determination of questions which for many generations have been considered to lie exclusively within the jurisdiction of the states and within the protection of the 10th Amendment to the U. S. Constitution."

Congress rapped

BAR MEMBERS rapped Congress for "indicating an intention to circumvent trial by jury, which, since the founding of this country, has been the efficient shield and safeguard of human liberties."

They referred to the House-approved "civil rights" bill which Southern senators are fighting in Congress.

This resolution added: "We deplore and unhesitatingly condemn this and all other assaults upon our system of trial by jury. With all its imperfections, man has not yet found a safer, fairer and more just way to resolve issues of fact in cases in court than by the verdict of a jury."

Integration hit

State bar scores assault on rights

BY FRED TAYLOR, News staff writer

TUSCALOOSA, Ala., July 20—Scorching criticism was fired at the U. S. Supreme Court and Congress Saturday by the Alabama Bar Assn. as it condemned the "civil rights" bill's assault on the nation's system of trial by jury.

In assailing the Supreme Court, state lawyers sounded a warning against further invasion of state court authority by the

AND THE ASSOCIATION, for the third year in succession, renewed its condemnation of the

high court's ruling in school segregation cases, declaring ineffectiveness, efficiency and finality of the judicial processes of another resolution that:

"We reaffirm our determination to resist by every proper, legal and honorable means at these decisions, the resolution our disposal the enforcement of these decisions."

These three resolutions were adopted by the nearly 600 members registered at the convention with only one dissenting vote. Identity of the association member shouted "no" from the rear of the meeting room in the Stafford Hotel was not determined.

Gen. John D. Higgins of Birmingham, the outgoing president, who presided over the business sessions, had asked three times if any members wanted to discuss the resolutions. None spoke up.

The convention windup saw Burnie Jones, widely known Evergreen attorney and brother of Monroe State Sen. Ralph Jones, installed as president to succeed Gen. Higgins. He was unopposed in being elevated from first vice president.

Also elected without opposition to the key post of first vice president was Walter P. Gewin of Tuscaloosa and Greensboro. He is a member of the Tuscaloosa law firm of LeMaistre, Clement & Gewin and formerly was a member of the Legislature from Hale County.

The lawyers side-stepped a threatened convention fight over pending state legislation to revamp civil procedure in state courts and pattern it after that in federal courts. They did this after State Sen. Albert Davis of Pickens, who has led a filibuster against this proposal, warned that to bring the controversy to the convention floor "would split the bar wide open."

In its resolution blasing the U. S. Supreme Court, the bar association charged that:

"There is now manifested an intention on the part of the U. S. Supreme Court to invade a new field and to direct or supervise the qualifications or fitness of applicants for admission to the bar."

Charge made

THE RESOLUTION charged further that the high tribunal

Pay raises

ENDORSED bills pending in the Legislature to raise pay of Alabama Supreme Court, Court of Appeals and Circuit Court judges, as well as increase salaries of circuit solicitors.

Commended the junior bar section for its support of bills to regulate small loan companies.

Thanked the Legislature for recessing to permit members to attend the convention and expressed appreciation to the press, radio-TV, the Tuscaloosa bar and Stafford Hotel for their cooperation.

Several Weeks' Senate Debate

Likely on Bill

Measure Placed

On Calendar by

71-18 Test Vote

By J. A. O'LEARY

A jury trial amendment loomed today as the main issue in the Senate civil rights battle.

The curtain went up today on several weeks of debate

President's Statement on Rights Bill Vote Page A-17

Bar Unit Backs Aid for Congressional Probes. Page A-24

on this and other proposed changes in the House-approved bill, which the Senate voted overwhelmingly to make the pending business yesterday.

The vote of 71 to 18 to place the administration measure before the Senate marked the most advanced stage a civil rights bill has reached in eleven years. The prospects for passage are brighter than they have been for half a century, in this field of legislation.

Morse Motion Beaten

The coalition of Republicans and Northern Democrats supporting the bill quickly won a second victory by defeating, 54 to 35, the motion of Senator Morse, Democrat of Oregon, to send the bill to the Judiciary Committee for 7 days of study.

President Eisenhower's prompt expression of gratitude for the Senate vote to consider the bill encouraged backers to hope that the President would be able to slow down the drive to modify the House bill.

Tension mounted just before the vote when Senator Byrd, Democrat of Virginia, and Republican Leader Knowland clashed verbally over Earl Warren's record as Chief Justice of the United States.

Clash on "Conspiracy"

Senator Knowland said the Virginian had implied that Justice Warren entered into a conspiracy with the NAACP and the ADA to prepare the bill and pass it on to the Justice Department.

Senator Byrd denied he had said anything about a conspiracy.

"I say the Chief Justice knows something about this bill, and the NAACP knows about it," Senator Byrd continued. "Whether they are in a conspiracy or not, I could not say. The bill has been before the Congress for some time."

But Senator Byrd criticized recent decisions of the Supreme Court, including the school integration cases, and told Senator Knowland, "I think he (Justice Warren) has done and is doing more to destroy the form of government that we have in this country than has any Chief Justice in the history of this country."

Part III at Issue

The immediate issue before the Senate today will be an amendment to strike out controversial Part III of the House bill, which Southern Democrats would enable the Attorney General to use the injunction process to force the South to accept racial integration in schools and other public places.

The elimination of Part III would confine the bill to the protection of voting rights and the creation of a commission to hear miscellaneous complaints on civil rights. The administration has indicated it would consider clarifying amendments in Part III, but would oppose knocking it out. But in his statement yesterday, the President put more emphasis on defeating a jury trial amendment.

The main purpose of the bill is to let the Federal government obtain injunctions in civil court proceedings to protect civil rights, with possible fine or imprisonment for contempt if the injunctions are violated. But when the United States is party to an injunction, no jury trial is allowed those cited for contempt.

Russell Leading Fight

The Southerners, led by Senator Russell, Democrat of Georgia, will fight for both a jury trial, and the narrowing of the injunction process to voting cases only.

Although Majority Leader Johnson of Texas voted to make the bill the pending business, he came out for a jury trial amendment, and called Part III "intolerable."

On the 71 to 18 vote, three other Southerners—Yarborough of Texas and Gore and Kefauver of Tennessee—voted to take up the bill. All of the 18 opponents were Southern Democrats.

But many of those who voted to consider the measure are expected to support some changes in the House bill, and most observers expect the measure to be modified substantially.

Filibuster Unlikely Soon

The Senate cleared the first hurdle of getting the bill up after 8 days of debate, without a filibuster. And no filibuster is expected for the next week or two, while amendments are being considered.

Even if the bill is toned down, a small band of Senators from the Deep South are expected to oppose its passage, and leaders say it may take some marathon sessions around the clock, to force a final vote.

But up to now the debate has been conducted on a more reasonable and patient level than had been expected. And there is a feeling in the Senate

that if this atmosphere continues the bill may be passed without too many sleepless nights of oratory.

Reflecting this atmosphere, Democratic Leader Johnson told the Senate yesterday "some of us to whom this bill is unacceptable in its present form are ready to allow it to be debated out of a decent respect for the convictions of others. Is it too much to hope for a reciprocal generosity for our convictions?"

Jury Trial Vote Nears In Senate

Agreement Reached On Johnson's Move For Debate Limit

By Robert C. Albright
Staff Reporter

The Senate late last night neared a vote on the last remaining major issue in the Administration's civil rights bill—an amendment guaranteeing jury trials in all kinds of contempt cases stemming from interference with voting rights.

The agreement to vote at long last on the focal amendment came at 5:40 p. m. in response to a unanimous consent request by Senate Majority Leader Lyndon B. Johnson (D-Tex.).

Johnson's proposal, promptly accepted with slight modifications by Senate Republican Leader William F. Knowland (Calif.) provided for the roll to be called after six more hours of debate, and an extra 30 minutes on each amendment.

Johnson Confident

Johnson, leading behind-the-scenes proponent of a jury trial compromise resolving the civil rights conflict without a filibuster, and with the least possible damage to his party, appeared freshly confident of victory.

Prospects of the so-called

O'Mahoney-Kefauver - Church the people whom I have . . . jury trial amendment the Tex- the responsibility of represent- an is backing zoomed sudden- ing, deny to them the protec- ly upward after Sen. Frank tion of the right of trial by Church (D-Idaho) and 10 other jury for criminal contempt." Senators offered an amend- ment further liberalizing the proposal late Wednesday night. Their amendment would guarantee what they termed a new civil right—the right of Negroes to serve on Federal juries.

Knowland, leader of a coalition of Republicans and a bloc of liberal Democrats, claimed enough votes to defeat the jury trial amendment, despite the liberalizing change.

He started calling in absentees, from as far away as Waldoboro, Maine, where Sen. Frederick G. Payne (R-Me.) is

convalescing from a recent heart attack.

Sen. Matthew M. Neely (D-W. Va.) another convalescent, was summoned from Bethesda Naval Hospital. Both sides in the battle were still fighting for his vote. Sen. Thomas C. Hennings Jr. (D-Mo.), recuperating from an operation, was called in from his home here. He's committed against the amendment.

The decisive vote was scheduled near the end of the 20th day of Senate debate on the first civil rights bill to advance since Reconstruction Days.

Vote Switches Hinted

Senate leaders said it is entirely possible, once the hurdle on the jury trial amendment was taken, that the Senate could complete action on the bill by Friday or Saturday. If that happens, Congress may be able to wind up loose ends of legislative business and adjourn in the next two or three weeks.

Reports of a number of dramatic switches to the jury trial amendment spread through the Senate cloakroom as Johnson moved for the early vote.

One of the first switches was that of Sen. Francis Case (R-S. D.), who took the floor to announce his decision.

Case said the civil rights measure would be "a good bill" with or without the jury trial amendment. He said it would be one of the "three or four outstanding landmarks of the Eisenhower Administration."

Case said, however, that the Constitution of South Dakota goes even further than the U. S. Constitution, by guaranteeing a jury trial in "all cases at law." Case added:

"I could not, in justice to

sprung." "The Senator always questions the motives of his colleagues, particularly of his colleagues from Texas," said Johnson.

"I never do," Douglas insisted.

Johnson said he had not "suddenly sprung" anything—that he would make it his "responsibility" to provide time for everyone within the city limits to reach the Senate. Later he submitted his unanimous consent agreement providing for four hours of debate before the vote. He increased this to six at Knowland's suggestion.

Union Letter Read

Sponsored by Sens. Joseph C. O'Mahoney (D-Wyo.), Estes Kefauver (D-Tenn.) and Church, the key amendment provides that cases of civil contempt, arising from violation of court orders enforcing the right to vote, would be tried by a judge, without a jury. But all kinds of criminal contempt cases, including labor cases, would be tried by a jury. Under the unamended bill, the trial would be by judge.

When the Senate met, Johnson read a letter sent to all Senators from the presidents of the 12 railroad brotherhoods urging adoption of a jury trial amendment. Knowland countered by reading a statement issued Tuesday by the AFL Executive Council opposing any "crippling jury trial amendment."

John L. Lewis, president of the United Mine Workers, like the railroad brotherhoods, lined up in favor of the jury trial amendment early in the week.

Southern Democrats, now lining up "reluctantly" behind the jury trial amendment, won the first round in the civil rights battle when the Senate recently voted to strike out an entire section of the bill, providing for injunctive enforcement of a wide range of constitutional rights.

As a result of that ballot the measure was stripped down to essentially right-to-vote provisions. A special civil rights commission would be set up to make a 2-year investigation into rights violations. In addition, a special civil rights division would be created in the Justice Department.

Fixed Hour Asked

After Johnson formally proposed to the Senate that a vote be reached last night, Knowland requested that he fix "a certain hour" so all Senators could get here.

Knowland promised a long quorum call and a slow vote so that anyone "at home or in Bethesda hospital" would have time to reach the Senate. Johnson flared up when Sen. Paul Douglas (D-Ill.) asked for assurances that a vote would not be "suddenly

KE'S CIVIL RIGHTS BILL

Pro-American **Urges Senate Kill** *Baltimore, Md.* **Jury Trial Rider** *Sat. 8-22-57*

By LOUIS LAUTIER

WASHINGTON (NNPA) — If the jury amendment to the civil rights bill is defeated, more colored persons will qualify to vote, more of them will be selected for jury service in the South and those juries—when a race issue is involved—will be better able to give an impartial judgment, Sen. Paul Douglas (D., Ill.), declared Monday.

The former University of Chicago professor, in his second major speech on civil rights legislation on the Senate floor, analyzed how the jury trial amendment would set up a cycle when coupled with the existing denial of the right to vote to hundreds of thousands of colored persons in Southern states.

Only a very few senators were on the Senate floor as he made a devastating attack upon the jury trial amendment, which the Senate Judiciary Committee has tacked onto the Hennings - Dirksen civil rights bill.

THE "merry-go-round," which would be set in motion if the jury trial amendment is written into the civil rights bill, as constructed by Senator Douglas, would run as follows:

1. Colored people are denied the right to vote.

2. Congress passes a civil rights bill to protect that right, but an amendment is added to provide jury trials for those who have prevented colored persons from voting.

3. By law, colored persons are excluded from jury lists because those lists are composed, by law in five states and by practice in many others, of persons on the voting lists.

4. JURIES, THEREFORE, would be composed predominantly of those whom the defendant has given the privilege of voting and would largely exclude those who have been denied the right to vote.

5. These jurors, in turn, would find it very difficult to exercise fair judgment in civil rights cases.

In many such cases an atmosphere of tension, coercion, threats and intimidation will exist, Senator Douglas said, adding:

"If they support a Federal judge's order protecting the voting rights of colored people, they know they will be exposed to economic pressure and possibly to physical violence."

"This would be true, in particular, of those jurors who might be willing on grounds of justice alone to support the order of a Federal judge."

But, for the most part, the jurors, because of the method of jury selection, Senator Douglas said, "will reflect the prevailing attitude and mores of the dominant forces in their communities."

"AND THIS attitude, in most sections of the South, either because of economic and political pressure or because of tradition and practice, supports the conditions which now prevail and which substantially prevent colored people from exercising the franchise."

On the other hand, Senator Douglas said, "If the so-called jury trial amendment is not passed and if the right to vote is more fully protected for colored people and exercised by them, this will in turn mean that jury trials—where they are meant to be used in our judicial system—will be by juries more truly and fairly representative of the citizens of the area served."

"Paradoxically enough, from a verbal point of view, the defeat of the so-called jury trial amendment will in reality result in a restoration and maintenance of trial by jury in appropriate cases as it was originally intended."

SENATOR DOUGLAS concluded that the jury trial amendment "will nullify the

protection of the right to vote in those areas where the right to vote most needs protection" and its effect will be to "perpetuate" discriminations in voting, "rather than to do away with them."

"The right to a jury trial," he declared, "means the right of those who have intimidated, threatened or coerced colored people from voting to be tried by a jury composed of those whom they have not intimidated, threatened, or coerced."

To show how such juries work, Senator Douglas cited the not guilty verdict in the case of two young white men charged with the bombing of a colored church in Montgomery, Ala.

He also cited the acquittal of two white men for the murder of young Emmett Till in Mississippi and the refusal of a Federal grand jury in Louisiana to indict persons responsible for the wholesale removal of the names of colored persons from voting lists in Louisiana. Senator Douglas also cited the case of Oliver Lee Walker, who was convicted in Bolivar County, Miss., of receiving stolen goods and sentenced to three years in the Mississippi penitentiary.

HE APPEALED his conviction. One of the grounds of the appeal was that colored persons were systematically excluded from jury duty in Bolivar County.

Records inserted in the Congressional Record by Senator Douglas show that there were 21,805 colored persons of the age of 21 years and older, but only 511 of them were registered.

But the Mississippi Supreme Court said the proof showed there were only 14 colored persons registered in Bolivar County and that the board of supervisors had placed half of them on the jury list.

SENATOR DOUGLAS pointed out that only one three-thousandths of the potential number of colored voters in Bolivar

JURY TRIAL

County — seven — had been placed on the jury list.

"The disqualification," he said, "was in the ludicrously and tragically small percentage of the potential voters who were declared to be qualified. That is where the hitch lies."

A memorandum prepared by the research office of the Southern Regional Council, which Senator Douglas secured from the Legislative Reference Service of the Library of Congress, which he also inserted in the Congressional Record as a part of his remarks, gave the following information concerning colored voter registration in 11 southern states:

ALABAMA

Blount County has 429 potential colored voters, but not a single one is a registered voter.

Bullock County has 5,426 potential colored voters, but only six are registered.

Clay County, 1,010 potential colored voters, but not one is registered.

DeKalb County, 443 potential colored voters, but none is registered.

JACKSON COUNTY, 1,242 potential colored voters, but none is registered.

Lowndes County, 6,512 potential colored voters, but none is registered.

Marshall County, 604 potential colored voters, but none is registered.

Morgan County, 4,641 potential colored voters, but none is registered.

Tallapoosa County, 5,083 potential voters, but none is registered.

Wilcox County, 8,218 potential colored voters, but none is registered.

According to the 1950 census, Alabama has a colored population of 516,246, 21 years of age and over who were entitled to vote, but the number of colored persons registered was 33,336, or 10.3 per cent.

SENATOR DOUGLAS selected two counties in Arkansas at random, showing that:

Crawford County has 415 colored persons 21 years of age and over, but only 21 of them were registered, or 5.1 per cent.

Poinsett County has 1,754 potential colored voters, but only 195, or 11.1 per cent, were registered.

According to the 1950 census, Arkansas has a total colored population of 410,342, 21 years of age and over, but only 47,

851 colored persons, or 16.5 per cent of those eligible, were registered.

In Georgia, the total number of potential colored voters (18 years of age and over) was 633,697. In 1956, the number of colored persons registered was 163,389, or only 25.6 per cent of those who met the age requirement.

SPECIFIC COUNTIES in Georgia, Senator Douglas said, give "some very startlingly low percentages." For instance:

Webster County has 1,313 potential colored voters but none is registered.

Miller County has 1,372 potential colored voters, but only six are registered.

Lincoln County has 1,617 potential colored voters but only three are registered.

Baker County has 1,819 potential colored voters but none is registered.

Blakely County has 1,588 potential colored voters but only 39 are registered.

In Louisiana there were 510,000 potential colored voters in 1950. The total number of colored persons registered in that state in 1956 was 161,410, or 31.6 per cent.

Senate OKs Early Vote
Post-Herald
Fri. 8-2-57
On Jury Trial
Birmingham
Unexpectedly Gives Signal To Cast Vital Ballot

WASHINGTON, Aug. 1 (AP) — The Senate unexpectedly agreed to vote tonight on the hotly-disputed jury trial amendment to President Eisenhower's civil rights bill.

Under the plan, adopted by unanimous consent at 5:40 p.m. EDT, the Senate agreed to debate the amendment for six hours plus 30 minutes on each of any revisions offered at the last minute.

No objection was raised to the procedure. It was offered by Sen. Democratic leader Lyndon B. Johnson (Tex.) who said it had the advance approval of GOP leader William F. Know-

land (R., Cal.).

Johnson originally had proposed a four-hour debate limit. He extended it to six hours at Knowland's request.

Depending on the outcome, the scheduled showdown could either touch off a Southern filibuster or increase chances of getting the controversial legislation through the Senate fairly soon.

If the amendment is blocked, Southerners probably will start a talkathon that could tie up the Senate for weeks.

The amendment would guarantee trial by jury for persons charged with criminal contempt for violating court orders designed to protect Negro voting rights.

Knowland rejected a proposed revision in the jury trial amendment intended, to insure that Negroes would be eligible to serve as jurors in federal courts. He renewed his forecast that administration forces had the votes to defeat the amendment.

The revision was proposed by Sen. Frank Church (D., Idaho) and 10 other senators—eight Democrats and two Republicans. It was accepted immediately by Sen. Joseph C. O'Mahoney (D., Wyo.), chief sponsor of the jury trial amendment.

Meanwhile, Johnson sought to enlist backing for the jury trial amendment by reporting to the Senate that the presidents of 12 railway labor unions have endorsed the provision. But Knowland retorted that the AFL-CIO executive committee is on record against it.

Johnson read a telegram endorsing the amendment. It was signed by the presidents of the railroad telegraphers, locomotive firemen and engineers, railroad signal men, train dispatchers, boilermakers and blacksmiths, railway conductors and brakemen, railroad trainmen, railway carmen, switchmen, sheetmetal workers, firemen and oilers, and maintenance of way employees.

The telegram said "the right of trial by jury has been recognized as an essential safeguard of liberty since the birth of western Democracy. We therefore favor the enactment of an amendment to the civil rights bill that would preserve or extend the right of trial by jury."

John L. Lewis, president of the United Mine Workers, previously had endorsed the amendment.

O'Mahoney said a telegraphic poll of federal judges in South-

ern states showed that Negroes are represented on grand and petit juries. O'Mahoney and several Southern senators read telegrams and letters from Virginia, Arkansas, North Carolina, Tennessee and Alabama court judges reporting representation of Negroes on juries in those states.

But Sen. Joseph S. Clark (D., Pa.) said the poll "misses the point." He said opponents of the jury trial amendment have "never questioned the fact that Negroes 'serve' on Southern juries."

"The point is not that Negroes serve on juries, but whether Negro citizens are chosen without discrimination in equal proportion to whites," Clark said.

Church's modification of the jury trial amendment would eliminate from present federal law a provision that a person be qualified under state law to serve on a federal jury in that state.

Opponents of the jury trial amendment have contended that some Southern states require a person to be a qualified voter to serve on juries. They argued that this has resulted in all-white juries.

Church said the modification "will confer another civil right, the right to serve as a juror, on a large segment of colored citizens who now, in practice, may be prevented from doing so."

Sen. Richard L. Neuberger (D., Ore.) said the jury trial amendment could stand on its own. He urged the Senate to defeat the jury amendment and then write in a provision to insure selection of jurors in federal courts without discrimination as to race.

Johnson and Sen. Paul H. Douglas (D., Ill.) clashed briefly when Douglas asked for "compassion" in giving all senators plenty of time to reach the Senate floor.

Douglas noted that Sen. Matthew M. Neely (D., W. Va.) is in nearby Bethesda, Md., Naval Medical Center and Sen. Thomas C. Hennings Jr. (D., Mo.) is at home here recuperating from an operation.

Johnson said Douglas was "always questioning (his) motives" and had accused him of wanting to "spring" a quick vote. "I'm not suddenly springing anything," Johnson said.

Merry-Go-Round Herald P.T.B. Jury Trial Fri. 8-2-57 Fight Was Bitter One

Miami Fla.
This column was written before the 51 to 42 vote in favor of the jury trial amendment. See story on Page 1A.

By DREW PEARSON
WASHINGTON—During the lull in the Senate civil rights debate, both sides have been fervidly proselyting in the cloakrooms for votes that will decide the crucial jury trial issue.



PEARSON Knowland (R., Calif.) has lined up 38 Republican votes against a jury trial.

Northern Democrats are sure of nine votes with a tenth, Sen. John Kennedy (D., Mass.), wavering.

This means the Northerners have enough votes up their sleeve to assure at least a tie. Then Vice President Nixon would cast the deciding vote against a jury trial amendment.

Knowing this, majority leader Lyndon Johnson (D., Tex.) called time-out to give his anti-civil rights senators more time to woo votes.

THE JURY TRIAL showdown will affect not only the civil rights bill, but the ambitions of several presidential hopefuls. Here is how they line up:

Vice President Nixon, GOP hopeful — Nixon has a sharp political eye on the Negro vote in 1960. He has been busy as a bird dog behind the scenes trying to salvage a strong civil rights bill.

Republican leader Bill Knowland, GOP hopeful — the jury trial because of the labor clause.

Knowland also knows it is good presidential politics to champion civil rights. He is furious at



Dick Nixon

A secret nose-count shows the civil rights leaders ahead by exactly that—a nose. Senate minority leader Bill

Nixon for encroaching. He has made it clear in GOP circles that he, not the Vice President, is leading the civil rights battle. Senate leader Lyndon Johnson, Democratic hopeful — Johnson realizes he must vote for a civil rights bill to keep in the presidential running. His aim is to make the bill weak enough that he won't antagonize his Southern support.

John Kennedy, Democratic hopeful — Kennedy privately favors some kind of jury trial amendment. But Sen. Hubert Humphrey (D., Minn.) gave him a private lecture on practical politics, convinced him he could boost his presidential stock by voting against the amendment.

MEANWHILE, the Southern strategy, extending the jury trial guarantee to labor cases, has partly backfired. The move was supposed to win liberal Democratic support. However, it has alienated conservative Republicans.

"I don't intend to rewrite the Taft-Hartley Law in the civil rights bill," snorted Sen. Barry Goldwater (R., Ariz.) in announcing his switch to Knowland.

Sens. Frank Barrett (R., Wyo.) and John Butler (R., Md.) also notified Knowland they would vote against the jury trial because of the labor clause.

On the Democratic side, Northern liberals are working on five doubtful Democrats who may team up with the civil rights bloc against a jury trial amendment.

They are Sens. Theodore Green and John Pastore of Rhode Island, Clint Anderson of New Mexico, Tom Hennings of Missouri, and Matt Neely of West Virginia. The latter two are doubtful only because illness may keep them from voting.

Jury Amendment Daily World Seen As Doom To Sat. 8-3-57 Civil Rights Bill Atlanta Ga.

WASHINGTON, D. C. — Public sentiment is so strong against the weakening of the Administration's Civil Rights Bill that strong indications already persist that no "rights" bill at all will be passed during this Congress.

House GOP leader Joseph W. Martin declared that he is "sure there is no practical possibility" of Congress completing work on the Bill at this session. He pointed out that five of the seven likely House conferees voted against the jury trial amendment when the House beat down the proposal in June. The other two did not vote at all.

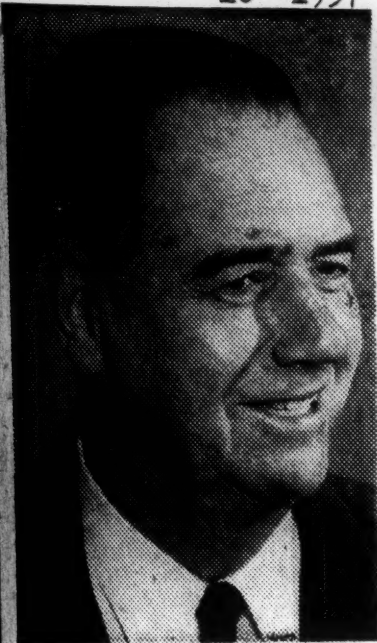
MUST BE IRONED OUT
A House-Senate conference is held when the two chambers pass different versions of a bill. Conferees from both Houses must iron out the differences and then their compromise agreement goes back to each chamber for approval. Martin said Civil Rights advocates in the House — Democrats and Republicans alike — will never accept any compromise. He foresaw a rapid adjournment of Congress once the Senate takes its vote on the Civil Rights Bill.

Senate GOP leader William F. Knowland also said he expects the Bill to be killed in conference and, he added, he isn't sure it could be resurrected next year.

Sen. Richard B. Russell (D) Ga., jubilant leader of the South's forces, declared, "the death of the bill will cause me absolutely no grief." He said he hopes that Knowland "is more accurate in his prediction this time than he was on what would happen to the (Jury Trial) Amendment."

SENATE ACTION

Sen. Francis Case (R) S. D., who broke with his party to support the Jury amendment, differed with Mr. Eisenhower's denunciation of the Senate action. The bill gives the government authority to step in to protect voting rights."



SEN. JOHNSTON (D-SC)



SEN. EASTLAND (D-Miss)



SEN. ERVIN (D-NC)



SEN. McCLELLAN (D-Ark)

They Are Protecting Traditional Liberties

Dixie Senators Guard Rights

News & Courier
A bloc of powerful Southern Senators in the U.S. Senate are standing guard over the right of trial by jury.

The opponents of jury trial guarantees in "civil rights" cases have won a victory in the House of Representatives. The next attack will come in the Senate.

One June 3 the Senate Judiciary Committee, headed by Sen. Eastland of Mississippi, while opposing any force bill wrote a jury trial amendment into Senate Bill 83, the administration's "civil rights bill." Three Southerners and one Northerner, Sen. O'Mahoney (D-Wyo.) voted for the guarantee.

Some 16 "civil rights" advocates in the Senate announced last week that they will seek to bypass the Senate bill, which contains the jury trial proviso, and adopt the House bill, which omits the jury trial guarantee.

Sens. Johnston and Ervin presented the case for the jury trial proviso and against Senate bill 83, which is regarded as a force bill in a recent report. This is what they said:

In urging the rejection of S. 83, we seek to preserve the American constitutional and legal systems for all Americans of all races and all generations. Diligent efforts are made to pre-

sent S. 83 in the guise of a meritorious and mild bill. S. 83 is, in truth, as drastic and indefensible a legislative proposal as was ever submitted to any legislative body in this country.

When all is said, it is not surprising that this is so. S. 83 is presented to Congress at a time when never-ending agitation on racial subjects by both designing and sincere men impairs our national sanity, and diminishes in substantial measure the capacity of our public men to see the United States steady and to see it whole.

S. 83 is based on the strange thesis that the best way to promote the civil rights of some Americans is to rob other Americans of civil rights equally as precious and to reduce the supposedly sovereign States to meaningless zeros on the Nation's map.

The only reason advanced by the proponents of S. 83 for urging its enactment is, in essence, an insulting and insupportable indictment of a whole people.

They say that southern officials and southern people are generally faithless to their oaths as public officials and jurors, and for that reason can be justifiably denied the right to invoke for their protection in courts of justice constitutional and legal safeguards erected in times past by the Found-

ing Fathers and the Congress to protect all Americans from governmental tyranny.

Congress would do well to pause and ponder this indisputable fact: The provisions of S. 83 are far broader than the reason assigned for urging its enactment.

If these provisions can be used today to make legal pariahs and second-class litigants out of southerners involved in civil-rights cases, they can be used with equal facility tomorrow to reduce other Americans involved in countless other cases to the like status.

The drastic provisions of S. 83 are even more surprising than the thesis of its proponents or the reason given by them for urging its enactment. They ignore the primary lesson taught by history, that is, that no man is fit to be trusted with unlimited governmental power.

If S. 83 should be enacted by Congress and successfully run the constitutional gantlet, it would vest in a single fallible human being, namely, the temporary occupant of the office of Attorney General, regardless of his character or qualifications, autocratic and despotic powers which have no counterpart in American history and which are repugnant to the basic concepts underlying and supporting the American constitutional and legal systems.

Jury Trial Measure Written Into Bill

News & Courier
June 6-4-57
Southerners Win Smashing Victory In Fight On Civil Rights Measure

By Washington Correspondent

WASHINGTON, June 3—Southern opponents of the administration's civil rights program scored a smashing triumph in the Senate Judiciary Committee today, writing into the measure a guarantee of trials by jury in contempt cases arising from civil rights injunctions.

The committee's 7-3 adoption of the jury trial amendment offered by Sen. Sam J. Ervin Jr. (D-N.C.) was made possible by the help of two liberal Democrats, Sens. Estes Kefauver (D-Tenn.) and Joseph C. O'Mahoney (D-Wyo.).

The jury trial guarantee has been, next to outright defeat of the bill, the major objective of Southerners in both the House and the Senate. It still, however, must survive action on the floors of both houses.

While the Senate committee upheld the Southern contention that the bill as approved by its Constitutional Rights Subcommittee

After the vote, Watkins sought suppression of any employer unsuccessfully to have the record through "unlawful" picketing; racketeering and "conspiracies" of members of the committee to vote tamely affecting individual rights, and, possibly, change the result, property or communities, and but Eastland ruled that the committee had a traditional policy of and their effect on the national not permitting absent members to economy and the rights of individuals.

"This is using a shotgun method of killing this bill," Wiley cried bitterly. "With this amendment, the bill has been emasculated as far as its effectiveness is concerned."

Ervin offered the amendment as a substitute to McClellan's right to work amendment, a parliamentary maneuver necessary to get it before the committee at what appeared to be a strategic moment. McClellan's amendment was the pending business, carried over from the week before.

The committee also received from Sen. Olin D. Johnston an amendment which would strike from the federal code statutes written during the Reconstruction period authorizing the President to call out the armed forces when necessary to enforce court orders but sidetracked this to consider two substitutes offered by Ervin.

TO KNOCK OUT PROBERS

The first of these was his amendment to knock out the Civil Rights Investigative Commission. After it had been rejected, Ervin offered a second substitute which would prohibit the attorney general from seeking civil injunctions in civil rights cases except with the express consent of the individual or individuals concerned.

As approved in subcommittee, the administration's bill would permit the attorney general to act on his own initiative, without consent of the persons alleged to have been or to be about to be deprived of their civil rights.

This amendment, however, did not reach a vote. Chairman James O. Eastland (D-Miss) acting in accordance with Senate rules, adjourned the committee at noon, when the Senate convened, and the Ervin amendment will be the pending business when the committee sits again, probably not until next Monday.

Adoption of the jury trial guarantee came unexpectedly after much behind-the-scenes negotiation between South Carolina's Johnston and Tennessee's Kefauver, leading to the conclusion, when Kefauver voted for the Ervin amendment, that the two may have made some sort of a deal for "trading" votes.

But, whatever the reason, the committee incorporated the jury trial provision in the bill with Kefauver and O'Mahoney joining Ervin, Johnston, McClellan, Eastland and Sen. John Marshall Butler (R-Md.), another civil rights proponent, in supporting the amendment. O'Mahoney arrived late, but was permitted by unanimous consent to vote.

Opposing the amendment were three Republicans, Sens. Alexander Wiley of Wisconsin, Arthur H. Watkins of Utah and Everett Dirksen of Illinois.

AMENDMENT REJECTED

The committee turned down, by a tie 5-5 vote, an amendment by Ervin which would have stricken from the bill provisions for the establishment of a bi-partisan, presidentially-appointed commission armed with subpoena powers and directed to investigate all complaints of civil rights violation.

And by a 3-7 vote, it rejected an amendment by Sen. John L. McClellan (D-Ark.) which would have required the commission to make investigations of economic

A Few Bad Jury Verdicts Should Not Be Excuse For Destroying Trial By Jury

News & Courier Mon. 6-3-57 P. 12
Charleston, S.C.
Like other wars, the war to mix the races in the South has its periods of great activity and its lulls. The last few months have been a quiet time on the integration front. One result has been a decline in concern on the part of white citizens. A manifestation of decreased public interest in the race issue was attendance at a recent Charleston County Citizens Council meeting by only 10 persons, three of whom were officers of the group.

It is only natural that when the struggle is not vigorous, public enthusiasm for organizational activity declines. The importance of keeping the Citizens Council movement vigorous, however, becomes apparent when the struggle is intensified. It appears that the recent lull is coming to an end.

In Montgomery, Ala., last week, two white men were acquitted of the bombing of a Negro church. State's attorneys introduced evidence of signed confessions by the two men. The defense answered them, however, with assertions of coercion, intimidation and "police brutality."

We do not have any special information on the case, and we decline to set ourselves up as judges—at this distance and without all the facts—of the verdict. We do recognize, however, the validity of the prosecution statement that one reason the NAACP-sponsored "civil rights" bill has strong backing in the North is the belief of Northerners that Dixie juries won't convict white men.

Certainly, Southern jurors can best protect their own region by abiding faithfully to their oaths as jurors. There is no room in the South for dynamiters or race gangsters, of any type, whether black or white.

Because a jury renders a verdict that some individuals may not consider just is not cause for restricting the right of trial by jury—as the

"civil rights" bill would do.

Associate Justice William J. Brennan of the U. S. Supreme Court made a statement only last month on the value of the jury system which should be read by every member of Congress. Justice Brennan said that "The jury is a symbol to Americans that they are bosses of their government. They pay the price, and willingly, of the imperfections, inefficiencies and, if you please, greater expense of jury trials because they set such store upon the jury system as a guaranty of the preservation of their liberties."

That statement should be a preface to any discussion of the Montgomery trial. One error on the part of a judge or jury is not sufficient reason for destroying a bulwark of our freedom. We repeat, we do not say that the Montgomery jury did or did not make an error.

JOHN TEMPLE GRAVES

Trial By Jury Endangered By Civil Rights Bill

News & Courier P. 10-A
Wed. 6-12-57
Charleston, S.C.
... depriving us, in many cases, of the benefits of trial by jury ...

THIS WAS one of the complaints in the Declaration of Independence. George IV did it arbitrarily but Attorney General Brownell wants to be prettier about it.

He uses contempt-stretchers. A point about the civil force measure is that when the Attorney General and New York Congressman Celler condescendingly let us Southern illiterates know that "trial of contempt cases by the judge alone is standard procedure under most federal statutes" they have in mind the good old days when contempt was confined mostly to a courtroom and hadn't been spread all over creation in the name of doing good without being interfered with by basic principles.

Jury trial should be stretched exactly as far as contempt is being stretched. You don't have to be Southern to see that, only Ameri-

can, or Anglo-Saxon.

GIVE ALABAMA'S Gubernatorial Candidate Jimmy Faulkner a perfect score on his anti-integration statement! "It is the responsibility of the Governor of Alabama to maintain law and order. Forced integration in Alabama's school system is a threat to law and order, and were I governor of Alabama I would maintain segregation by maintaining law and order. I would give an order to all school authorities not to permit integration of races in public education because it is a threat to our civil and domestic peace."

Then came his punch line: "I would take full responsibility for such an order to maintain segregation, and if anyone had to go to jail to maintain our segregated schools, as your governor, I would go."

That is not only unqualified, it makes big sense. No foolish knights can save school segregation acting outside both state and federal law. Our state and local

officials can and must do it, acting under state and local law.

That's why respecting state and local law in the South was never more important.

KENNETH ADAMS, of Anniston, Ala., says Negroes can-too be scared. He tells how he has "had to scare some." Of course they can, and can't we all. But you can't win the case against integration by scaring them. You simply get them more sympathy and support. If there should ever come to be a real "reign of terror" in the South, the federal government would have to do something. And we can't lick the federal government with guns even though Mr. Adams foolishly thinks we can. For one thing we would have to fight more than half our own people, including state and local police. That is a point overlooked by witless "blood and guts" advocates who fancy themselves "men over boys."

ALABAMA'S BOYS' State delegates last week voted with apparently blind unanimity in their Senate for an 18-year-old vote bill—but defeated it resoundingly in their House. Proving that boys will be adults, sometimes stampeding, sometimes stopping to think. These states are called to lead the way now for more qualified and mature voting. It isn't just a matter of "white supremacy" but of "human supremacy."

NOTING THAT a so-called "Southern Conference Educational Fund, Inc." has called for a civil rights bill "free from crippling amendments," Jefferson Hamilton of Gainesville, Fla., wants to know who these people are. My understanding is that they are what came of the late, unlamented, Communist-infiltrated Southern Conference on Human Welfare when it had to get lost.

Dixie Loses House Battle

Constitution Sat. 6-15-57 Atlanta Ga.

For Jury Trial on Rights

P. 1

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON, June 14—Southern forces went down to defeat in the House today as Northern liberals beat back a jury trial amendment to the civil rights bill by a vote of 199 to 167.

Under strong administration pressure, an overwhelming majority of the Republicans joined liberal Democrats to defeat the Southerners in the key vote on the bill.

MAJOR SETBACK

Following the decisive vote on the jury trial proviso, the House adjourned until Monday when it will complete final action—and certain passage of the bill.

Other amendments likely will be offered—but this one to guarantee jury trials for defendants in civil rights cases was the big one the Southerners wanted most. It was the amendment the Northern forces argued would nullify the effectiveness of the proposed civil rights statute.

Powerful administration pressure was voiced on the floor of the House in the closing stages of the day's long debate when Rep. Martin (D-Mass), took the floor.

KE'S PRESSURE ADDED

Minority leader Martin arose to remind his colleagues that the Republican platform last year South, called for enactment of a civil rights bill and that President Eisenhower had advocated such legislation in his campaign speeches.

Martin thus added the final weight of administration pressure to the arguments of Reps. Celler (D-NY), and Keating (R-NY), who asked that the House reject the amendment.

The decision came on a teller vote, and it was difficult to tell just how many Republicans joined Southern Democrats in marching up the aisle to be counted for the amendment.

50 FROM GOP SIDE

It appeared to reporters in the press gallery that about 50 congressmen came from the GOP

side of the House to vote with the Dixie lawmakers — not nearly enough to offset the liberal coalition.

Before the vote was counted, Southerners made futile, last-ditch appeals for the House not to turn down the jury trial amendment which was offered by a Northern Republican, Rep. Keeney of Illinois.

SHOWDOWN VOTE

The Southerners had invested six days in building up to today's showdown vote. Their defeat represented a victory for administration forces who had contended the amendment would destroy the entire bill.

The amendment would have guaranteed a trial by jury, instead of by a federal judge, for persons accused of violating court orders issued by the government to protect voting and other civil rights.

Objections to trials by jury show "prejudice against the South," Rep. Dies (D-Tex) declared in the 11th-hour battle for the amendment.

No evidence has been produced to show that federal juries in Dixie "will not do their duty," Dies contended, answering objections that he said were based on the fear that Southern juries would not convict accused violators of court orders in civil rights cases.

For a time it had appeared the Southern bloc would win its battle for the trial-by-jury amendment. Administration forces turned the tide by swaying many Republicans against it.

Reps. Phil Landrum, J. L. Pilcher, Iris Blitch, Prince Preston and John J. Flynt Jr., from Georgia, made their appeals to

INVITES CRITICS HERE

Defending the South's treatment of Negroes against repeated attacks from civil rights advocates, including Rep. Adam Clayton Powell, New York Democrat, Landrum told the Northerners to come to Georgia and see for themselves.

Landrum directed a particularly sharp retort to Rep. Marguerite Church (R-Ill), who had denounced Southern treatment of Negroes, particularly in Mississippi, citing the Emmett Till case.

He accused "the gentlewoman from Illinois of talking viciously and scathingly about the way we do things in the South."

Mrs. Church arose to tell Landrum that there was nothing vicious in her make-up.

PROTESTS POWELL JIBE

"Nevertheless," replied Landrum, "I never in my life have heard a section of this country so viciously attacked as in the speech by the gentlewoman from Illinois for whom I have a high regard."

The Georgia congressman took particular exception to a flat statement by Rep. Powell that "when American citizens are faced with juries in the southern section of the United States we know that a colored citizen cannot get equal justice."

"There can be no civil rights bill if the amendment—trial by jury—is in it," Powell had said, "and no one knows this better than the gentlemen from Mississippi, Alabama, Georgia, South Carolina and the other states of the South."

CITES SCHOOL PROGRESS

Landrum denied this assertion and told the House of heavy Negro voting in Georgia and, of the state's \$175,000,000 school building program, most of which has gone for modern Negro schools.

On the right of trial by jury, Landrum said "we are not asking for the right of trial by jury but only seeking to preserve that right we already have."

In one of rare appearances in the well of the House, Rep. Pilcher warned the civil rights advocates that they are about to pass a bill that actually will hurt the people it is supposedly designed to help.

"I don't believe there is any member in this House who has treated Negroes better than I have," Pilcher said. "I have nursed them when they were sick; I have carried them to the hospital and I have paid their doctor bills. I have worked them and I have some of them on my payroll who haven't hit a lick of work in five years, and I keep them on the payroll because they are old and they have been faithful."

ONCE FOUR CLASSES

"I live in southwest Georgia, and the Negroes in my section have made more progress in the past 20 years than the white people have in 50 years. Negroes vote in my county. They ride to modern schools in modern buses. They have 4-H, FFA and FHA clubs and the assistant county agent is a Negro."

"What this bill is doing is only creating strife and hatred. There used to be four classes of people in the South—good white people, good Negroes, sorry white people and sorry Negroes. You are driving them into only two groups—white and black. You are only going to hurt the people you are trying to help."

Rep. Blitch warned the House that it was about to pass a bill that would "destroy the freedoms for which our forefathers died."

TRIAL BY JURY BECOMES ISSUE

James Roosevelt May Accept Southern Civil Rights View Pushed By Ervin

By DREW PEARSON.

WASHINGTON, May 26—Congressman James Roosevelt, hitherto one of the staunchest backers of the civil right bill, has written a letter to Attorney General Brownell which indicates he may accept the Southern view regarding trial by jury.

Roosevelt's letter coincides with increasing private skepticism on the part of many firm civil rights advocates that the traditional right of trial by jury should be weakened. This has been the point hammered home repeatedly by the chief Southern spokesman opposing the Brownell-written civil rights bill—namely, Sen. Sam Erwin of North Carolina. Excellent chance.

If Congressman Roosevelt changes his mind on trial by jury, it is sure to influence a number of other Northern Democrats and the civil rights bill, amended to contain trial by jury, would have an excellent chance of passing at this session of Congress. Southern spokesmen have been so vigorous in demanding the trial by jury amendment that they would almost have to accept the bill if amended.

"There are many proponents of the measure," Congressman Roosevelt wrote Brownell, "who are seriously troubled as to whether or not there is a basic validity in the arguments of such distinguished opponents as Sen. Sam J. Ervin, Jr., former judge of North Carolina."

Roosevelt then propounded to the Attorney General, who drafted the original bill which provides for trial by a judge, not by jury, the following questions:

Directs Questions.

"1. Would such an amendment as proposed in your opinion effectively destroy the practical workability of the proposed civil

rights law?

2. How are Federal juries chosen? Is the method the same in each state or area of the country, including the southern states?

3. Does the method of Federal jury selection give to the Department of Justice the ability to see that a jury properly represents all section of the community?

4. If the Department of Justice does not have such ability, does the Federal District Court have the power to see that Federal juries are truly representative of the entire community?

5. Is there any middle ground which you would advocate if your answer to question 1 is in the affirmative, such as granting to the Appeals Court the right to order a trial by jury where, in the opinion of the Appeals Court, the lower court judge has been capricious or arbitrary?"

Brownell has not yet replied to Roosevelt's letter. Roosevelt requested an answer by the first week in June, at which time the civil rights bill is due to come up for debate in the House of Representatives. Whether Brownell will reply by that time remains to be seen. Last year he ducked repeated questions from Sen. Tom Hennings of Missouri and the Senate Judiciary Committee for three months.

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Jury Trials in Civil Rights Cases

Editorial
**Amending of Senate Bill Labeled as Step
Toward Injecting Reason Into Conflict**

It was a wise move on the part of the Senate Judiciary Committee this week to recommend that jury trials be provided by law in contempt cases arising out of the enforcement of "civil rights." It will do more to help the cause of public understanding on the integration-segregation issue and similar questions than anything the Congress or the courts have done thus far.

This is because the action by the Senate committee comes at a time when emotion has been substituted for reason in many parts of both the North and the South in dealing with matters of law and constitutional rights.

A dramatic example was the case last week in Montgomery, Ala., when a white jury acquitted two white men who were defendants in a case involving the dynamiting of a Negro church. No one was injured, but property was damaged. It was apparent from the way the case was summed up by the prosecuting attorney and defense counsel that the issues were presented in the background of current antagonisms. Although the defendants had signed a confession, the claim was made later that it had been irregularly processed—that it wasn't made at police headquarters but in a hotel room under circumstances which led to the expression of many doubts.

This correspondent spent the week end in Alabama and talked to many people about the integration question. Notwithstanding the individual beliefs of citizens generally, it is fair to say that many people who are on the anti-integration side were shocked by the verdict of the jury at Montgomery. Yet in some respects the verdict wasn't surprising. As one man in the South put it, "Why should not 12 men in Alabama express their feelings in a verdict, when nine sociologists on the Supreme Court do the same thing?"

Reference was made specifically to some of the recent cases of rape committed by all parts of the country, and Negroes against white women—not just in the South. Violence en—cases in which confessions were duly recorded and guilt cion by broad injunctive

plainly established, only to have the Supreme Court of the United States reverse such verdicts on technicalities and allow the defendants to go free.

Emotionalism has brought a state of tension that is not going to be cured by any provision of law denying jury trials merely because the privilege has been or might be abused. While contempt committed inside a courtroom has always been punishable by a judge without a jury trial, and attempts to violate directly the terms of an injunction are ordinarily within the power of a judge alone to punish, the real issue is whether the judge's injunctions can be stretched to cover crimes committed outside the courtroom itself that normally are tried by juries.

It is better, therefore, for Congress to err on the side of caution and to put faith and trust in the people in all sections of the country, rather than to assume in advance that they cannot be trusted in the jury box. To apply such faith is to follow the path of reason as against emotionalism.

For the racial questions are far from settled, and those persons who think that, by the order of any court, the people of the South or of any other section will approve an edict which they honestly believe is not constitutional just do not understand the workings of human nature. The crusade, for instance, against the Eighteenth Amendment on prohibition—the willful disregard of the provisions of the law by millions of people—showed clearly that a reform which isn't sold to the people in advance by thorough understanding isn't accepted just because it is solemnly proclaimed as "the law of the land."

It's a condition rather than a theory which confronts the Nation in dealing with the

orders of the courts. An adjusted society has to come voluntarily out of the processes of reason.

The amendment to the law which would grant jury trials in contempt cases involving alleged crimes is bound to assist the cause of reason. It put the responsibility squarely upon the people to see to it that jury trials are fairly conducted and fairly resolved.

There are, of course, extremists on both sides. Their number will diminish, however, only as a sense of fairness develops through the application of reason instead of violence. That's why the grant of a jury trial in criminal contempt cases would be a progressive step toward a better understanding of the responsibilities of citizenship. But if Congress, on the other hand, does deny jury trials, far more ground will be lost than gained in the emotionally complicated, if not presently unsolvable, problem of sociology and government.

JURY PLAN WINS RIGHTS BILL TEST

New York
**Senate Unit Adds Provision
for Contempt Defendants**

By C. P. TRUSSELL
Special to The New York Times.

WASHINGTON, June 3—The Senate Judiciary Committee approved today a guarantee of jury trials for persons cited for contempt in civil rights cases.

The vote was 7-3, with five members of the panel absent. Voting for the amendment were six Democrats and one Republican. Three Republicans opposed it.

The issue of jury trials is a new one in civil rights battles. The Administration in its civil rights bills has taken the position that Southern juries might be disinclined to convict persons charged with denying voting and other rights to Negroes. It preferred the usual legal practice of trial by judges alone in contempt actions. Thus its bill provides for trial by Federal Judges of those accused of violating court injunctions against denial

of civil rights.

At a closed meeting the South argued that specific guarantees of jury trials had been granted in labor cases by the Norris-LaGuardia Act of 1932.

Senator Sam J. Ervin Jr., the North Carolina Democrat who is a leader in the South's fight, proposed an amendment designed to give similar guarantees in civil rights cases. He used the language of the Norris-LaGuardia law in his amendment.

Surprisingly, it was adopted. Supporting it were not only the four Southern members who had fought the program from the start but also three others—Senators Estes Kefauver of Tennessee and Joseph C. O'Mahoney of Wyoming, Democrats, and Senator John Marshall Butler, Republican of Maryland.

Those absent were Senators Thomas C. Hennings Jr. of Missouri and Matthew M. Neely of West Virginia, Democrats, and Senators William E. Jenner of Indiana, William Langer of North Dakota, and Roman L. Hruska of Nebraska, Republicans. All except Senator Hruska have been ill recently.

Senator James O. Eastland, Mississippi Democrat, who heads the committee, noted that there was "a possibility" that when the full committee could be mustered today's vote might be upset.

However, to do this the five absentees would have to be unanimous in a plea for reconsideration. There was doubt that a unanimous request for reconsideration would be entered.

Brownell Fights Move
Meanwhile the Department of

Justice began a new fight against the trial-by-jury guarantee. It contended the proposal would practically nullify the whole program.

The enactment of jury trial guarantees in contempt of court, it said, would "undermine the authority of the Federal courts by seriously weakening their power to enforce their lawful orders."

Herbert Brownell Jr., Attorney General, in identical letters to key Republican supporters of the Administration's program, stated that a chief concern in the Civil Rights program was to insure that minority groups were not hampered in exercising their right to vote.

"Under present law," he said, "the Government can only wait until the harm has been done—the rights to vote denied—and then proceed with a criminal prosecution as a means of testing the validity of the registrar's action. The registrar himself is often caught between commu-

nity pressures to discriminate and the fear of Federal prosecution with no way to resolve the issue in advance."

Bipartisan Unit Upheld

A second attempt by Senator Ervin to prevent the establishment of a bipartisan commission to investigate complaints of civil rights violations was defeated by 5-to-5 tie.

A "right to work" amendment, to ban labor contracts requiring employees to join a union after getting jobs, was dropped temporarily.

Senator John L. McClellan, Democrat of Arkansas, let this proposal fall in deference to Senator Ervin's jury trial amendment. But Mr. McClellan indicated he would revive his proposal later.

Senate committee activity after long delay, came almost on the eve of debate on the program in the House of Representatives. The debate will start Wednesday and continue through Saturday. The House is expected to pass a civil rights bill in some form.

Trial-by-Jury

Eagle 7-1
Rider to Rights

Thurs. 6-13-57
Bill is Approved

Susan Olsen
Neal Says Does

Not Know Reason

He's Being Called
By Alice A. Dunnigan

WASHINGTON (ANP)—The Southern senators hung an albatross around the neck of the civil rights bill Monday when the Judiciary committee voted to include a "trial-by-jury" amendment.

The amendment was approved by a 7-3 vote after Senator Sam Ervin of North Carolina moved that this amendment be substituted for the McClellan "right-to-work" clause which topped Monday's agenda.

Those approving the jury trial amendment were Senators Kefauver (Tenn.), Johnston (S. C.), McClellan (Ark.) O. Mahoney (Wyo.), and Eastland (Miss.), all Democrats, and Republican Senator Butler (Md.).

Opposing were three Republican Senators Wiley (Wis.), Watkins (Utah) and Dirksen (Ill.).

3 Solons in Hospital

Absent were Democratic Senators Hennings (Mo.), and Neely (W. Va) and Republican Senators Langer (N. Dak.) and Jenner (Ind.) all

of whom are in the hospital and Sen Hruska (R. Neb.).

Senator Watkins' motion, that the absent Senators be permitted to vote later was defeated.

By the same 7-3 vote the committee defeated an amendment offered by Senator McClellan to investigate unlawful picketing in strikes.

The committee also defeated by a 5-5 tie vote an amendment offered by Senator Ervin to strike out part one of the bill which calls for the creation of a civil rights commission.

Voting for the amendment were Senators Ervin, Johnston, McClellan, O. Mahoney and Eastland. Against were Senators Kefauver, Wiley, Watkins, Dirksen and Butler.

A spokesman for the committee explained that the controversial "trial-by-jury" amendment is now a permanent part of the bill. It can only be defeated if one of the persons voting for it will move for reconsideration.

Then it can be reconsidered only if the majority of a quorum favors reconsideration.

The committee expects to take up more amendments before taking action on the bill itself.

One of the amendments to be considered next week is one offered by Senator Ervin which prohibits the Attorney General from bringing a suit except in the name of the parties whose civil rights have allegedly been violated.

DAVID LAWRENCE

Potentialities of Jury Trial Issue

Congressmen Seen Risking Defeat

If They Oppose Amendment

Many members of the House and Senate face defeat at the polls if they record themselves as opposed to trial by jury.

It's an easy issue on which the public can be swayed. It is broader than the question of only enforcing voting rights. It affects the whole American system of justice.

The opposing candidates can say to the people: "Do you want a man to represent you in Congress who doesn't trust you?"

The basic principles of justice do not change with the passage of time. Thomas Jefferson made the issue very plain. He wrote prophetically of the very problem that is rocking the Senate today in considering the so-called "civil rights" bill. It was he who championed ardently the principle of trial by jury. He labored successfully to have the safeguards of jury trial inserted in the Bill of Rights. What Jefferson wrote in 1789 was this:

"We think, in America, that it is necessary to introduce the people into every department of government, as far as they are capable of exercising it, and that this is the only way to insure a long-continued and honest administration of its powers.

"They (the people) are not qualified to judge questions of law, but they are very capable of judging questions of fact. In the form of juries, therefore, they determine all matters of fact, leaving to the permanent judges, to decide the law resulting from those facts.

"But we all know that permanent judges acquire an esprit de corps; that being known, they are liable to be tempted by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or legislative power; that it is better to leave a cause to the decision of cross and pile (heads or tails), than to that of a judge biased to one

side; and that the opinion of 12 honest jurymen gives still a better hope of right than cross and pile does.

"It is in the power, therefore, of the juries, if they think permanent judges are under any bias whatever, in any cause, to take on themselves to judge the law as well as the fact. They never exercise this power but when they suspect partiality in the judges; and by the exercise of this power, they have been the firmest bulwarks of English liberty."

The Democrats still claim to be the party of Jefferson. Yet only Senator O'Mahoney of Wyoming, Democrat, together with three other Democrats outside the Southern bloc—Senators Kefauver of Tennessee, Church of Idaho and Jackson of the State of Washington—have announced that they are supporting the Jeffersonian principle which is embodied in the proposed amendment to require jury trials in criminal contempt cases. Most of the other Democrats from the North, who have hitherto represented themselves as disciples of Jefferson, now are joining with the advocates of "government by injunction" and would deny jury trials.

It is a favorite argument advanced by some legalists that jury trials have never been granted in civil contempt cases, and hence there is no harm in denying such trials in criminal contempt cases as well. Actually, it is not so simple. The jury in the Clinton (Tennessee) case, for instance, followed the prescription of the judge on what they were told was "the law." This is only another way of saying that the broad phrases of the judge's own injunction were "the law." The jurymen were instructed to decide solely whether the acts of alleged interference complained of really did take place.

What happens in the court-

room—disrespect for the judge or acts of violence there—has always been regarded as within the power of the judge to punish. But in the Clinton case, many acts occurred outside the courtroom and the jury was required merely to verify the doing of those acts and to disregard the constitutionality of the injunction itself. Taking, however, into account recent Supreme Court decisions, the defendants were apparently denied the First Amendment guarantees of free assembly.

Anything as fundamental as this issue should have been exhaustively studied by the Senate Judiciary Committee prior to debate in the Senate. It has been contended that the committee would have bottled up the measure anyhow because a Southerner at present heads the committee. The Senate, on the other hand, could easily have set up a special committee of inquiry if necessary to hold hearings and make recommendations to the Senate.

To try to draft on the floor of the Senate itself a law on so vital a matter as jury trials without previous consideration by the Judiciary Committee—and instead to engage in a prolonged debate and a series of roll-call votes on ambiguously worded amendments—is not in conformity with the principle of "due process." It is a sorry spectacle in the annals of the Senate.

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Senate OKs Early Vote On Jury Trial

Unexpectedly Gives Signal To Cast Vital Ballot

WASHINGTON, Aug. 1

—The Senate unexpected-

JURY TRIAL

edly agreed to vote tonight on the hotly-disputed jury trial amendment to President Eisenhower's civil rights bill.

Under the plan, adopted by unanimous consent at 5:40 p.m. EDT, the Senate agreed to debate the amendment for six hours plus 30 minutes on each of any revisions offered at the last minute.

No objection was raised to the procedure. It was offered by Senate Democratic leader Lyndon B. Johnson (Tex.) who said it had the advance approval of GOP leader William F. Knowland (R., Cal.).

Johnson originally had proposed a four-hour debate limit. He extended it to six hours at Knowland's request.

Depending on the outcome, the scheduled showdown could either touch off a Southern filibuster or increase chances of getting the controversial legislation through the Senate fairly soon.

If the amendment is blocked, Southerners probably will start a talkathon that could tie up the Senate for weeks.

The amendment would guarantee trial by jury for persons charged with criminal contempt for violating court orders designed to protect Negro voting rights.

Knowland rejected a proposed revision in the jury trial amendment intended to insure that Negroes would be eligible to serve as jurors in federal courts. He renewed his forecast that administration forces had the votes to defeat the amendment.

The revision was proposed by Sen. Frank Church (D., Idaho) and 10 other senators—eight Democrats and two Republicans. It was accepted immediately by Sen. Joseph C. O'Mahoney (D., Wyo.), chief sponsor of the jury trial amendment.

Meanwhile, Johnson sought to enlist backing for the jury trial amendment by reporting to the Senate that the presidents of 12 railway labor unions have endorsed the provision. But Knowland retorted that the AFL-CIO executive committee is on record against it.

Johnson read a telegram endorsing the amendment. It was signed by the presidents of the railroad telegraphers, locomotive firemen and enginemen, railroad signal men, train dispatchers, boilermakers and blacksmiths, railway conductors and brake-

men, railroad trainmen, railway carmen, switchmen, sheetmetal workers, firemen and oilers, and maintenance of way employees.

The telegram said "the right of trial by jury has been recognized as an essential safeguard of liberty since the birth of western Democracy. We therefore favor the enactment of an amendment to the civil rights bill that would preserve or extend the right of trial by jury."

John L. Lewis, president of the United Mine Workers, previously had endorsed the amendment.

O'Mahoney said a telegraphic poll of federal judges in Southern states showed that Negroes are represented on grand and petit juries. O'Mahoney and several Southern senators read telegrams and letters from Virginia, Arkansas, North Carolina, Tennessee and Alabama court judges reporting representation of Negroes on juries in those states.

But Sen. Joseph S. Clark (D., Pa.) said the poll "misses the point." He said opponents of the jury trial amendment have "never questioned the fact that Negroes 'serve' on Southern juries.

"The point is not that Negroes serve on juries, but whether Negro citizens are chosen without discrimination in equal proportion to whites," Clark said.

Church's modification of the jury trial amendment would eliminate from present federal law a provision that a person be qualified under state law to serve on a federal jury in that state.

Opponents of the jury trial amendment have contended that some Southern states require a person to be a qualified voter to serve on juries. They argued that this has resulted in all-white juries.

Church said the modification "will confer another civil right, the right to serve as a juror, on a large segment of colored citizens who now, in practice, may be prevented from doing so."

Sen. Richard L. Neuberger (D., Ore.) said the jury trial amendment could stand on its own. He urged the Senate to defeat the jury amendment and then write in a provision to insure selection of jurors in federal courts without discrimination as to race.

Johnson and Sen. Paul H. Douglas (D., Ill.) clashed briefly when Douglas asked for "compassion" in giving ailing

senators plenty of time to reach the Senate floor. Johnson noted that Sen. Matthew M. Neely (D., W. Va.) is in nearby Bethesda, Md., Naval Medical Center and Sen. Thomas C. Hennings Jr. (D., Mo.) is at his home here recuperating from an operation.

Johnson said Douglas was "always questioning (his) motives" and had accused him of wanting to "spring" a quick vote. "I'm not suddenly springing anything," Johnson said.

House Battle Shapes Over C-R Jury Trial

WASHINGTON (UP)—A bitter House battle over jury trials shaped up today even before the Senate has passed its version of the controversial civil rights bill.

At stake is the question of whether Congress passes any civil rights bill, and if it does whether President Eisenhower will veto it.

The Senate, working with unemotional speed, Friday finished work on its sharply-modified version of the House - approved administration civil rights bill. It put off a final vote until next week—probably Wednesday.

While more speeches will be made the southern Democratic bloc abandoned thoughts of a filibuster—long the graveyard of civil rights measures in the Senate—with adoption of the jury trial amendment.

The next big question is what the House will do about Senate changes in the bill, particularly the jury trial amendment added by the Senate. This provides for jury trials in criminal contempt cases brought under the bill's voting rights provision, but not for civil contempt.

Eisenhower denounced the amendment so strongly Friday it led to belief he might veto the bill if it reaches him in its Senate shape.

Senate Republican Leader William F. Knowland conferred with Eisenhower at breakfast for 40 minutes this morning, presumably about the bill's future. Knowland left the White House without seeing newsmen.

The President said Friday the amendment would "make largely ineffective" the bill's machinery to protect Negro voting rights, which he called "the basic purpose of this bill." He also charged, in one of his strongest attacks on any legislation thus far, that the amendment would "weaken our whole judicial system."

The Senate Friday amended the bill to make the commission's staff director subject to Senate confirmation and to bar unpaid volunteer staff workers on the commission.

Senate Democratic Leader Sen. B. Johnson said he hopes the

House will accept the jury trial amendment and other Senate changes without a conference and send it on "to the President where I hope it will meet with his approval." He praised the Senate version as "a meaningful and effective civil rights bill."

Knowland said he will vote for the bill "regretfully" because of what he considers weakening amendments.

Veto Foreseen If Rights Bill Not Changed Leader Thinks President Would Contend Jury-Trial Provision A Path to Chaos

From Wire Dispatches

Washington, Aug. 4.—President Eisenhower will veto the Senate's version of the civil-rights bill if it is sent to him in its present form, a high Administration official said today.

The Senate will vote in the next few days on a bill authorizing the attorney general to seek civil injunctions to enforce minority voting rights.

In the completed form in which it awaits a final Senate vote, the measure also requires jury trials in all criminal-contempt cases involving not only voting disputes but a wide variety of other Government prosecutions as well.

Eisenhower has thrown his Administration's weight behind an effort to get the House to reject the Senate's version of the bill and send it to a Senate-House conference.

Previously Passed Bill

The House previously passed a measure from which the Senate stripped a provision for fed-

President would contend in of its provisions strengthened such a veto that the jury-trial there so he could sign it with proviso would "create chaos and utter confusion" in the operation of almost every Government regulatory commission.

"Whatever we think about the voting-rights provisions of the bill—and they are largely ineffective—this bill must go to conference to iron out the jury-trial provision," the official said.

Criticise Provision

Other Administration officials said Government prosecutors would be forced to permit jury trials in cases involving labor, antitrust violations, the Federal Trade Commission, and the Federal Communications Commission, among others.

As one source put it, the Justice Department "would have a serious monkey on its back."

Although officials made no commitments, it was evident that if the jury-trial provision would be narrowed to apply only to voting-rights cases, Eisenhower would be likely to accept the measure as representing a small step forward in the field of civil rights.

Two Steps Possible

Such a change in the bill could be made either by House action to send it to conference or by a House vote to amend the measure and send it back to the Senate for action on that single provision.

While Southerners opposing enactment of any civil-rights legislation would not comment publicly, it was evident they would not object too strenuously to such a change.

Eisenhower's associates felt the President would be justified in accepting a bill thus altered, on the ground that it provided some additional voting-right-enforcement authority.

Provides Rights Panel

One new provision would permit federal jurors to be selected without regard to whether they are qualified under State law. This is aimed at permitting Negroes to serve on juries in the South.

The measure also contains authorization for establishment of a six-member commission to investigate civil rights and for the addition of an assistant attorney general to handle such cases in the Justice Department.

Eisenhower could count this as something of a gain in the civil-rights field, if he failed to get a stronger bill out of a Senate-House conference.

It was obvious, however, that Eisenhower retained hope that the bill could be sent to a Senate-House conference and some

The Stake in Civil Rights

Post + Times Herald
Senate approval of the jury-trial amendment can prove a boon rather than a barrier to the protection of voting rights if it is accepted in the proper spirit. The amendment agreed to early Friday amounts to a very substantial concession to the sensibilities of the South. There is no excuse now for any further delaying tactics in final adoption of the civil rights bill. At the same time, the bill as amended can materially advance the primary purpose of safeguarding the voting rights of all citizens in Federal elections.

Obviously the bill as it now stands is not all that many civil rights champions wanted, and it is a good bit more than some Southerners wanted. It has been divested of Section III, which dealt with rights other than the right to vote, and it has been softened by the jury-trial amendment. Yet it still contains provisions for the creation of a civil rights commission with subpoena powers and for the appointment of an Assistant Attorney General for civil rights. The significance of these two provisions is not inconsiderable; and although most Southern Senators, for political reasons, cannot afford to welcome them publicly, there are indications that the provisions will be tacitly accepted.

The adoption of the O'Mahoney-Kefauver-Church amendment providing for jury trials in cases of criminal contempt came about because honest men were sorely troubled. This newspaper groped along with members of the Senate in the sheer complexity of the problem and the wish to find a reasonable accommodation. Unquestionably the issue of jury trials was used by opponents of the civil rights bill in the beginning as a diversionary smoke screen. In the course of the debate, however, more persons began to have doubts. Was it desirable, they asked, to jeopardize one set of real or implied rights in order to secure others?

The whole reason for civil rights legislation, of course, lies in the fact that the Constitution of the United States has not been fully accepted in parts of the South. The Fourteenth and Fifteenth Amendments undertake to guarantee voting rights, and they are amplified by more specific laws forbidding interference or intimidation. These provisions have become dead letters in some areas because of the inability to persuade white juries to convict white defendants. But the problem was, and is, to bring about more general respect for voting rights without the sort of pyrrhic victory that would encourage political bitterness and divisions, and stimulate a search for new evasions.

There is no such thing as a constitutional right of jury trial. Some 37 different statutes permit governmental agencies to enforce the law through equity proceedings rather than criminal trials. At the same time, a little-known provision of the Clayton Act of 1914 requires jury trials for criminal contempt if the contempt is a crime under other Federal or state laws, and unless the United States is a party to the suit.

The essential objective of the amended bill before the Senate is to make the United States automatically a party to suits—that is, to permit the Attorney General to sue on behalf of an individual who might be intimidated or financially unable to institute proceedings to protect his voting rights. The dilemma arose from the need, on the one hand, to insure to the courts the powers necessary to compel respect for and compliance with their orders; and the reluctance, on the other hand, to use the contempt power to punish a man summarily for actions which under laws already on the books were crimes in which defendants were entitled to jury trials.

This issue has been resolved by the amendment providing jury trials in all cases of criminal contempt, but leaving to judges summary powers to cope with civil contempt (including the power to imprison a defendant until he complies with a court order). The amendment was notably improved by a new section proposed by Senator Church eliminating the provision now in Federal law that persons serving on Federal juries must satisfy requirements for state juries.

Actually this is a modification of the earlier effort by Senator Neuberger to deny application of the jury trial amendment to areas where Federal juries are drawn from voting lists rather than from the general population. If the amendment as approved carries out its intent, it will remove the totally unwarranted veto some states exercise against service of Negroes on Federal juries. Alert Federal judges should be able to see to it that the selection of jury panels is fair. Negroes serving on juries in contempt trials will by no means guarantee convictions even when convictions are warranted; but the breaking of this artificial restraint will enhance confidence in the jury trial amendment.

This newspaper is still troubled by the general application of the O'Mahoney-Kefauver-Church amendment as adopted. It will limit the powers of judges, not merely in voting cases, but in the entire range of Federal proceedings. This may seriously interfere with antitrust suits and similar litigation. Congress will want to appraise the re-

JURY TRIAL

sults closely with a view toward narrowing the scope of the new provision if necessary.

One other question is whether the amendment, by providing a jury trial for criminal contempt, may encourage large instead of small contempt. A defendant might hope that if he defied a court order long enough and vigorously enough he would escape punishment via a jury trial. This is admittedly a danger, but we think it has been magnified. In all but a very few states voting registration is permanent. A recalcitrant registrar could be kept in jail indefinitely until he complied with a court order; and although this would not assure the voting rights of an individual in a particular election, it would most certainly be a consideration in the actions of the registrar. Moreover, under the revised method of selecting juries, a defendant could not count for sure on a sympathetic or all-white jury.

It also is important to recognize that criminal contempt is a sort of last-ditch proceeding. Means of dealing with it are necessary to give the bill teeth. But the real significance of the bill is in the equity route it provides. A person who deprived another of voting rights would be confronted with the authority and majesty of the United States. No one would relish the thought of fighting the United States; and there would in all likelihood be considerable pressure for compliance from law-abiding citizens in the community, whatever their views. It is a disservice to the South to think that there automatically would be disrespect for the courts and defiance of the law.

What has emerged is a compromise in the best tradition of dignified Senate deliberation. A filibuster has been avoided, in the initial instance at least, by acceptance of a reasonable but less stringent measure which all but the most die-hard Southern Senators should feel a moral obligation to uphold in practice. The need now is to keep the remaining debate in the same good temper and above considerations of mere partisan advantage. No attempt to guarantee civil rights against every possible abuse can succeed. But it is a plausible theory that respect for other rights stems from exercise of the ballot, and the Senate has paved the way for new protection of the basic right to vote that should be far from meaningless.

Notable Jury Trial Victory Won In Senate Civil Rights Battle

BY A SURPRISINGLY WIDE MARGIN—51 to 42—a notable jury trial victory has been won in the Senate by opponents of the Administration's civil rights proposals. An amendment assuring jury trials in criminal cases under this legislation has been adopted and Sen. Knowland, leader of the fight for the bill, says the action probably means it is dead for this year. That would be fine, as we see it. Such a program as remains even in the Senate bill would complicate and make more difficult and dangerous problems in this field.

Sen. Knowland's view is based on the belief that the House probably will not accept changes. The House passed the legislation without the jury trial provision and with a section, eliminated by the Senate, which would empower the attorney general to use the injunctive process in civil rights cases in general. Knowland's estimate seems reasonable to us.

The Senate measure still is to be acted on as a whole. That may come next week. It contains, besides the injunction section, provision for a presidential bipartisan commission to study civil rights and for appointment of an additional assistant attorney general and establishment under him of a civil rights division in the Department of Justice.

THE SENATE JURY TRIAL AMENDMENT would permit selection of federal court jurors without qualifying under state laws. This change was made with a view to strengthening support for the amendment, as there has been contention that under the amendment jury trials might be held in such cases without any Negro jurors. Qualification of federal jurors under state law is sound practice. Departure from it would be a highly questionable change. What would be federal qualifications for such service?

We continue to believe that failure of the legislation as a whole would serve the national as well as Southern interest. A federal civil rights inquiry now would intensify problems in this field. But the bill as revised by the Senate is substantially less objectionable than it was as approved by the House.

WHAT HAS BEEN DONE IN THE SENATE reflects a high regard for sound principle and practice in uphold-

ing jury trials in criminal actions under such legislation.

The Senate's action in eliminating proposed use of the injunctive process in civil rights matters in general, as for instance in school cases, and confining such authority to voting cases, greatly curtailed the scope of possible trouble under such an act.

We are impressed by the comment of Sen. Russell of Georgia, leader of the opposition forces, that "the Senate was at its very best" in voting the jury trial amendment and that his faith in representative government was renewed in seeing "men have the courage to rise above the pressures and vote their convictions."

If some such legislation finally is jammed through, it will be much less troublesome and disturbing if it follows the lines of the major revisions made by the Senate. But it will be even better if the whole business fails, as Sen. Knowland thinks is probable.

Jury Trial Fight Breaks In Senate

WASHINGTON, July 25 (AP)—The Senate plunged into debate today on the biggest remaining issue in the civil rights bill—whether to guarantee jury trials in certain contempt cases involving alleged violations of voting rights.

Sens. O'Mahoney (D., Wyo.) and Kefauver (D., Tenn.) both argued for an amendment to provide such trials for persons charged with criminal contempt of court for violating voting rights injunctions.

A jury trial amendment also was supported by the Senate's majority leader, Sen. Johnson (D., Tex.), who said that while courts must have power to enforce their orders, people accused of crimes "should have the opportunity to make their case before a jury of their peers."

But Minority Leader Knowland (R., Cal.), contended a jury trial amendment would "greatly weaken the effectiveness" of the bill. Knowland, in addition to being the GOP leader, heads a loose coalition of Republicans and Northern Democrats working for Civil Rights legislation.

One argument used by opponents of the jury trial amendment is that Southern white juries wouldn't convict when Negro voting rights were involved. Both O'Mahoney and Kefau-

ver have introduced similar jury trial amendments. Kefauver told the Senate his draws a clear distinction between civil and criminal contempt, with the right to trial by jury provided only in the latter type of case. He said that if a voting registrar, for example, should ignore a court's order the judge would have no alternative except to cite him for contempt. But he said the judge could do it in one of two different ways.

If the judge wanted to punish the registrar for his offense, Kefauver went on, he would have to permit a jury trial. But if he merely wanted to secure compliance with his order, he could jail the registrar without a jury trial until the official complied.

"The registrar would have the keys (to the jail) in his pocket, so to speak," the Senator said. (The Senate ran out of speakers at 5:32 p.m. and recessed until noon tomorrow.)

Senate lines have not been drawn firmly yet on the jury trial issue. A conference of all GOP Senators was called for 9:30 a.m. tomorrow to discuss the question.

Southern Democrats scheduled a meeting of their own for half an hour later to decide whether to support the amendment in the form offered by O'Mahoney.

Knowland said at the opening of today's session that the administration still has "a good civil rights bill" despite the major surgery performed on it in the Senate yesterday.

Supporters of the legislation, Knowland said, will now concentrate on preserving its right-to-vote section.

Right Of Trial By Jury

Attorney-General Herbert Brownell Jr., who wants to set himself up as an absolute dictator, is the motivating force behind the civil rights bill, and especially that clause denying right of trial by jury.

The peanut-headed person who now wobbles about in the office of the Attorney-General like a small pea in a big bass drum ought to read what was said on that subject by the late Senator George W. Norris, of Nebraska, one of the ablest men who ever occupied a seat in the United States Senate.

Here are the words of Senator Norris: "I agree that any man charged with contempt in any court of the United States... in any case, no matter what it is, ought to have a jury trial."

"It is no answer to say that there will sometimes be juries which will not convict."

That is a charge which can be made against

our jury system. Every man who has tried lawsuits before juries, every man who has ever presided in court and heard jury trials, knows that juries make mistakes, as all other human beings do, and they sometimes render verdicts which seem almost obnoxious. But it is the best system I know of. I would not have it abolished; and when I see how juries will really do justice when a biased and prejudiced judge is trying to lead them astray I am confirmed in my opinion that, after all, our jury system is one which the American people, who believe in liberty and justice, will not dare to surrender. I like to have trial by jury preserved in all kinds of cases where there is a dispute of facts."

These words ought to be printed in large letters on the walls of our Supreme Court building and also over the entrance to the Department of Justice.

Unions Oppose Jury Amendment

WASHINGTON, (INS) — The AFL-CIO flatly declared opposition Tuesday to the controversial jury trial amendment to the Civil Rights Bill but united mine workers President John L. Lewis announced he favors it.

The labor organizations issued statements on the amendment which was locked the senate in a tug of war debate. Both the AFL-

CIO Executive Council and Lewis endorsed the passage of a Civil rights measure this session.

MUST NOT BE BURDENED

However, the AFL-CIO governing group asserted that if the legislation is to be a "real right-to-vote bill... it must not be burdened with a crippling trial by jury amendment."

At the same time, Lewis issued a statement contending that if the Jury trial amendment is not included in the house-passed legislation, the measure could be used to punish labor in contempt cases.

The Amendment proposed in the Senate would give defendants the right to be tried by jury in criminal contempt cases stemming from violations of Court orders interfering with an individual's against voting rights.

Jury-Trial Guarantee Is Debated

Louisville, Ky.
That's Now Key Issue In Rights Debate

From Wire Dispatches

Washington, July 25.—The Senate plunged into debate today on the biggest remaining issue in the civil-rights bill—whether to guarantee jury trials involving alleged violations of voting rights.

Senators O'Mahoney (D., Wyo.) and Kefauver (D., Tenn.) both argued for amendments they have introduced to provide such trials for persons charged with criminal contempt of court for violating voting-right injunctions.

A jury-trial amendment also was supported by Senate Majority Leader Johnson of Texas.

Points 'Not Incompatible'

"I believe we all recognize that courts must have the power to enforce their orders," Johnson said. "But, on the other hand, people who are accused of crimes should have the opportunity to make their case before a jury of their peers. I consider both points basic. I do not consider them incompatible."

But Minority Leader Knowland of California contended a jury-trial amendment would "greatly weaken the effectiveness" of the bill. Knowland, in addition to being the G.O.P. leader, heads a loose coalition of Republicans and Northern Democrats working for civil-rights legislation.

One argument used by opponents of the jury-trial amendment is that Southern white juries would not convict when Negro voting rights were involved.

Johnson Disagrees

Johnson told the Senate he disagreed with this argument.

"In the first place, the truth of the plea has not been demonstrated," he said. "And in the second place, if the truth could be demonstrated, the appropriate course would be to re-examine our whole jury system."

"Under no circumstances should we resort to an expedience to maneuver around a basic protection of our liberties."

O'Mahoney and Kefauver have introduced similar jury-trial amendments.

Kefauver told the Senate his draws a clear distinction between civil and criminal contempt, with the right to trial by jury provided only in the latter type of case.

He said that if a voting registrar, for example, should ignore a court's order, the judge would have no alternative except to cite him for contempt. But he said the judge could do it in one of two different ways.

If the judge wanted to punish the registrar for his offense, Kefauver went on, he would have to permit a jury trial. But if he merely wanted to secure compliance with his order, he could jail the registrar without a jury trial until the official complied.

"The registrar would have the keys (to the jail) in his pocket, so to speak," the senator said.

Lines Not Firmly Drawn

Senate lines have not been firmly drawn yet on the jury-trial issue. A conference of all

G.O.P. senators was called for 9:30 a.m. tomorrow to discuss the question.

Southern Democrats scheduled a meeting half an hour later to decide whether to support the amendment offered by O'Mahoney.

Knowland said at the opening of today's session that the Administration still has "a good civil-rights bill" despite the major surgery performed on it in the Senate yesterday.

Supporters of the legislation, Knowland said, will now concentrate on preserving its right-to-vote section.

Bill's Power Reduced

The Senate voted, 52 to 38, yesterday to strip the bill of all enforcement powers except those protecting voting rights. Knowland fought to retain a section giving the attorney general authority to act in the whole field of civil rights, including racial integration of the schools.

His coalition broke up temporarily over the issue, however, and the bill was reduced largely to a voting-rights measure.

Knowland told newsmen today it would still be a good bill if the section on voting rights was kept intact.

As the bill now stands, it would empower the attorney general to seek federal-court injunctions against any violations of individual voting rights or threatened violations. Persons disobeying the court orders could be charged with contempt of court and tried by judges without a jury.

Senate Leaders Disagree

Knowland predicted the attempts to attach a jury-trial amendment would be defeated. But Senator Johnson said he expected an amendment to be adopted.

Johnson said he could not say now when the jury-trial vote would come. But he expressed confidence it would be reached "without any beds being brought in and without any one wrestling here on the floor."

By that he meant he didn't think Southern Democrats would filibuster against a vote on the issue.

Knowland estimated there might be a vote by next Tuesday.

New Dixie Drive Set On Rights

Times-Union
Jas. 7-26-57
Jacksonville
Johnson Hits Maneuver by Foes in Jury Trial Battle

WASHINGTON, July 25 (UP)—Senate Democratic Leader Lyndon B. Johnson today accused "slick" administration lawyers of using "legal holy water" to circumvent jury trials under President Eisenhower's civil rights bill.

The Texas senator opened a Southern drive for a second major change in the measure to provide jury trials for alleged civil rights violators. The first change was made yesterday when the Senate voted to strip broad injunctive powers from the bill.

Senate Republican Leader William F. Knowland (Calif.) told reporters he would make a "major effort" to keep the bill from being "emasculated" further. He said "we can still have a good bill if we don't make it ineffective on voting rights."

Closed-Door Meetings

Separate closed-door meetings of all Republican senators and the Southern bloc were called for tomorrow on the jury trial issue. Knowland also will have an opportunity earlier to get Eisenhower's views on such an amendment at a White House breakfast.

The bill became primarily a voting rights measure yesterday after elimination of the provision giving the attorney general broad injunction powers to enforce constitutional rights generally.

Johnson told the Senate the next basic issue it must face is the question of jury trials for contempt of court cases brought under the right-to-vote section.

He charged that the "highly trained" government lawyers who drafted the bill had used "legal holy water" to convert crimes into civil offenses so they could be tried without a jury.

Must Have Power

"I believe we all recognize that courts must have the power to enforce their orders," Johnson said. "But on the other hand, people who are accused of crimes should have the opportunity to make their case before a jury of their peers. I consider both points basic. I do not consider them incompatible."

Sen. Estes Kefauver (D-Tenn.) urged the Senate to adopt his amendment which would require jury trials in criminal contempt cases but not in cases of civil contempt.

"If our purpose is to guarantee the right to vote to all in the future, rather than to punish for misdeeds in the past, then we can accomplish that end with this bill and my amendment," he said.

Criticized Other Provisions

Sen. A. Willis Robertson (D-Va.) said the failure to provide trial by jury was "the most vicious part of the bill." He also criticized the other two remaining provisions of the measure.

He said the section creating a civil rights commission would send groups "snooping around in the states" for material which might be used for "political effect."

The provision setting up a civil rights division in the Justice Department, Robertson said, would only add "one more bureaucrat and an indeterminate number of janizaries authorized to spend government funds for unnecessary and partisan ends."

Sen. John C. Stennis (D-Miss.) said Senate debate had never in modern times been "so fruitful in bringing out the hidden dangers lurking in proposed legislation."

He said the public, the press, many congressmen and even the President had been misled by a "campaign of misrepresentation of this bill as a moderate bill."

Authority Of Courts Big Issue

Aid Of Republican
Senators Sought For
Civil Rights Bill

By ROSE MCKEE

WASHINGTON — (INS) — win if the President and administration officials stand behind us." President Eisenhower has strongly appealed to all Senate Republicans to vote against jury trial amendments to his civil rights bill.

The President's request was relayed to a conference of GOP senators by Republican floor leader William F. Knowland.

But Sen. Richard B. Russell (D-Ga.), told reporters after a caucus of 16 southern senators, that if a jury trial amendment is defeated—as the administration wants—his side will filibuster against passage of the civil rights bill.

SEN. LEVERETT Saltonstall (R) Mass., chairman of a conference of Senate Republicans, said that a "great majority" of GOP senators agree with the administration that a jury trial guarantee should be opposed.

Saltonstall read to the GOP conference the President's statement of July 16. Mr. Eisenhower's statement was: "...We seek to uphold the traditional authority of the federal courts to enforce their orders. This means that a jury trial should not be interposed in contempt of court cases growing out of violations of such orders."

SALTONSTALL said the administration "stands strongly behind Part Four (voting rights) of the bill as now drawn." The conference chairman agreed with Knowland that "a great majority of Republican senators feel the way the administration does." Sen. Everett M. Dirksen (R) Ill., assistant Senate GOP floor leader, made it clear he was supporting the President's position. He said he was "very definitely opposed" to a jury trial guarantee.

THE administration wants to preserve what the Justice Department regards as the heart of the civil rights bill — the provision permitting the government to get an injunction against anyone interfering with the right to vote and allow the judge issuing the injunction to jail without a jury trial anyone who defies it.

Sen. Hubert H. Humphrey (D) Minn., a leader of northern Democrats opposed to a jury trial provision, said "we can

do not mean stand behind us like a feather. I mean as a rock."

3 Want Rights Bill To Cover Jury Trials In Labor, Other Cases They Offer A Broader Amendment

By The Associated Press

Washington, July 26. — Three Democratic senators proposed today that the civil-rights bill be amended to guarantee jury trials for all types of criminal contempt, including labor cases.

The broad new amendment was offered by Senators O'Mahoney of Wyoming, Kefauver of Tennessee, and Church of Idaho. They were promptly congratulated by Senator Russell (D-Ga.) on their "attempt to preserve the right of trial by jury." Earlier in the day he had served notice that Southern senators will filibuster unless the civil-rights bill is softened by a jury trial amendment.

In effect, the new amendment would revise the general law governing contempt-of-court cases.

Kefauver described it as "a great advance of civil liberties."

In Sunday's Passing Show, Robert L. Riggs explains how the jury verdicts in the Clinton and Hoffa cases influence the civil-rights fight in the Senate and Jean Howerton reviews a book by Omer Carmichael and Weldon James about Louisville and its school-desegregation experience.

because, as now presented, this amendment does not apply to this bill alone."

"It covers all actions for contempt," Kefauver said. "It again

will assure labor unions of their day in court before a jury of their peers—something that was done in the Norris-LaGuardia Act, but which has been largely nullified through the Taft-Hartley Act."

Wooing Labor Support

In some quarters the new move was interpreted as an attempt to get labor behind a jury trial amendment and woo the votes of those Northern senators now opposed to any change in the civil-rights legislation. Democratic Leader Johnson of Texas told reporters this morning that some organized-labor leaders are supporting a jury trial amendment. He did not identify them. President Eisenhower was represented today as urging passage of the civil-rights bill without another major change.

The new amendment makes no provision for jury trials in civil contempt cases. As O'Mahoney explained it:

"The accused in a civil contempt proceeding at all times holds the key to his release from prison and to the remission of his fine (by complying with the terms of the court order). There is no need for a jury trial to safeguard his rights."

He summed up the effect of the amendment this way:

"When a court is going to impose criminal punishment, an accused will have a right to trial by jury regardless of the nature of the act. When a court is seeking to secure compliance with its order, there will not be a trial by jury."

Plans To Use All Weapons
Earlier, Russell had announced that "every weapon in our arsenal" would be used in an attempt to defeat the bill if it didn't carry a jury-trial amendment.

Thus the battle lines were drawn for a new struggle over the legislation that has tied up the Senate for three weeks.

Senators on both sides agreed the vote on the jury-trial issue will be close when it comes next week. Senator Aiken (R., Vt.) said the issue could be decided by "maybe only two votes."

After hearing several speakers on the bill during a brief night session, the Senate adjourned at 8:03 p.m. until noon Monday.

An earlier O'Mahoney amendment now before the Senate would provide jury trials for persons charged with criminal contempt in voting-rights cases, leaving civil contempt proceed-

Southern Senators Push Drive For Votes On Jury Trial Issue As UMW Endorses Proposal

Jury Trial Side Weak, Claim

DEBATE CENTERS ON JURY TRIALS

Democratic Leaders Spearhead Drive For Adoption of Civil Rights Item

WASHINGTON, July 25 (AP)—The Senate plunged into debate today on the biggest remaining issue in the civil rights bill—whether to guarantee jury trials in certain contempt cases involving alleged violations of voting rights.

Sens. O'Mahoney (D-Wys) and Kefauver (D-Tenn) both argued for an amendment to provide such trials for persons charged with criminal contempt of court for violating voting rights injunctions. A jury trial amendment also was supported by Senate Majority Leader, Johnson (D-Tex), who said that while courts must have power to enforce their orders people accused of crimes "should have the opportunity to make their case before a jury of their peers."

Knowland Memurs. But Minority Leader Knowland (R-Calif) contended a jury trial amendment would "greatly weaken the effectiveness" of the bill. Knowland, in addition to being the GOP leader, heads a loose coalition of Republicans and Northern Democrats working for civil rights legislation.

One argument used by opponents of the jury trial amendment is that Southern white juries wouldn't convict when Negro voting rights were involved. Both O'Mahoney and Kefauver have introduced similar jury trial amendments. Kefauver told the senate this draws a clear distinction between civil and criminal contempt, with the right to trial by jury provided only in the latter type of case.

He said that if a voting registrar, for example, should ignore a court's order the judge would have no alternative except to cite him for contempt. But he said the judge could do it in one of two different ways.

If the judge wanted to punish the registrar for his offense, Kefauver went on, he would have to permit a jury trial. But if he merely wanted to secure compliance with his order, he could jail the registrar without a jury trial until the official complied.

"The registrar would have the keys (to the jail) in his pocket, so to speak," the senator said. The Senate ran out of speakers at 5:32 p.m. and recessed until noon tomorrow.

Not Drawn Firmly. Senate lines have not been drawn firmly yet on the jury trial issue. A conference of all GOP senators was called for 9:30 a.m. tomorrow to discuss the question. Southern Democrats scheduled a meeting of their own for half an hour later to decide whether to support the amendment in the form offered by O'Mahoney.

Knowland said at the opening of today's session that the administration still has "a good civil rights bill" despite the major surgery performed on it in the Senate yesterday. Supporters of the legislation, Knowland said, will now concentrate on preserving its right-to-vote section.

The Senate voted 52-38 yesterday to strip the bill of all enforcement powers except those protecting voting rights. Knowland fought to retain a section giving the attorney general authority to act in the whole field of civil rights, including racial integration of the schools.

His coalition broke up temporarily over the issue, however, and the bill was reduced largely to a voting rights measure.

Sen. Knowland Is Confident of Victory

By JOHN CHADWICK

WASHINGTON, July 27 (AP)—Sen. Knowland (R-Calif) said today signs of weakness have cropped up in the camp of advocates of a jury trial amendment to the administration's civil rights bill.

The Senate GOP leader said the latest amendment they offered was indicative of "definite weakness" on their part. This would broaden earlier jury trial proposals to make an across-the-board revision of present law governing contempt of court proceedings.

Knowland also told newsmen there apparently has been "some cooling off" in the willingness of supporters of the jury trial amendment to bring the issue to an early vote.

BROADER APPEAL Knowland, predicting victory for the bill's supporters, said he was prepared to vote Tuesday. Any delay forced by the other side, he said, may indicate they feel they need more time to try to round up additional votes.

At least some backers of the broadened jury trial amendment were reported hoping it would appeal to labor union leaders and, in general, to many people often designated as liberals. It would guarantee jury trials in all criminal contempt of court cases, including those growing out of labor disputes as well as civil rights cases.

Sen. Russell (D-Ga), leader of the bill's Southern opponents, was asked if he was willing to vote Tuesday on the jury trial amendment. "I can't say that I am," he replied.

NOT CONSULTED

He said he would have to discuss the matter with other senators before he would agree to a vote then. He said Knowland had not consulted him about it. Nor, he said, had Knowland taken it up with Senate Democratic Leader Lyndon B. Johnson of Texas so far as he knew.

Russell said he was supporting the latest jury trial amendment, offered by Sens. O'Mahoney (D-Wyo), Kefauver (D-Tenn) and Church (D-Idaho), because he believed it was "as much as we have any hopes of getting."

"I think it will be a very close vote," he said.

ESSENTIAL TO NEGROES O'Mahoney said in a separate interview that "I think we'll win," although he said he was aware that Knowland is reported to have claimed he had at least 34 GOP votes lined up against the amendment. There are 95 senators all told.

"The right to trial by jury is just as essential to the colored citizen as it is to any other citizen," O'Mahoney said. "You can't cut the corners of the Constitution and expect to maintain free government."

"He confirmed a report, that Dean Acheson, former secretary of state, and Benjamin V. Cohen, a one-time "braintruster" in the Roosevelt administration, were consulted in the draft of the amendment, "just as others were."

O'Mahoney said he consulted Acheson and Cohen "not only in their capacity as lawyers but in their capacity as liberals who want to preserve free government."

The pending civil rights bill would authorize the attorney general to obtain federal court injunctions against violations or threatened violations of voting rights.

MIXING IN SCHOOLS

Persons accused of disobeying an injunction could be jailed for contempt of court without a jury trial.

Another section of civil rights generally, including racial integration in schools and other public places, was eliminated by the Senate by a 52-38 vote.

O'Mahoney latest amendment provides for jury trials

in criminal contempt proceedings of all types—whether they involve civil rights, labor disputes or anything else.

Criminal contempt proceedings are designed to punish a person up with Senate Democratic Leader Lyndon B. Johnson of Texas for willful disobedience of an injunction or other court order. The maximum penalty under the amendment would be a \$1,000 fine or six months in jail.

FILIBUSTER WARNING

No jury trial is provided for in civil contempt proceedings aimed at securing compliance with a court order. In these cases, a person could be jailed by a judge but he could purge himself and go free whenever he agreed to comply.

Sen. Russell said Dixie forces fighting the bill favor a jury trial in all contempt cases. However, he said they would go along with a provision for jury trials in criminal contempt cases only, in the belief this would command great support.

But, in an unmistakable warning a filibuster, he said yesterday that if the Senate refuses to accept a jury trial amendment, Southern senators will use every weapon they have to try to defeat the bill.

Knowland appealed to the Southerners not to launch a filibuster if they suffer defeat on the jury trial issue.

"I would hope that no one would try to obstruct the Senate in carrying out its legislative responsibilities," he said.

LINEUP OF VOTES

Knowland said there would be no obstructive tactics by the bill's supporters. "We are prepared to let the Senate function and vote on a vital matter of national policy—a matter affecting the voting rights of American citizens," he said.

The GOP Leader declined to comment on reports that he had told Northern Democratic lead-

ers he was assured of 34 to 36 Republican votes against the jury trial amendment.

If this should be correct, only 10 to 12 Democratic votes probably would be required to defeat the jury trial amendment on the basis of the number of senators who have been absent because of illness during recent roll calls.

On the vote to strike out the section of the bill providing for the enforcement of civil rights generally, 25 Republican senators and 13 Democrats lined up in opposition.

U.S. COMMISSION

Only one other change has been made in the bill as it passed the House, except for the correction of clerical errors. This was the adoption by a 90-0 vote of an amendment repealing an old Reconstruction era law authorizing the president to use troops to enforce court orders in civil rights cases.

Other sections of the bill would create a civil rights division in the Justice Department, headed by an assistant attorney general, and would set up a commission to investigate civil rights problems.

While Russell talked of using every means to defeat the bill if a jury trial amendment is rejected, he said Southern senators had "not reached the stage" of discussing whether they would filibuster against passage of the legislation in any event.

He has said, however, that the adoption of a jury trial amendment would lessen the possibility of a filibuster.

Conversely, Knowland was asked if he felt it would be worth trying to push the bill to passage if a jury trial amendment should be written into it. He said he would "cross that bridge" when and if he came to it.

Knowland has taken the position that the measure is "still a good civil rights bill" despite the changes approved so far. Sen. Clifford P. Case (R-N.J.), another leading supporter, also has described it as "still a very useful bill."

North Demos Reported Siding With Jury Trial

Group Depicted As Wanting To Write
Guarantee Into Civil Rights Bill

BY DAYTON MOORE
United Press Staff Writer

WASHINGTON, July 28—Some Northern Democrats were reported today to be swinging behind efforts to write a jury trial guarantee into President Eisenhower's civil rights bill.

In an effort to offset these switches, Sen. Richard L. Neuberger (D., Ore.) told newsmen he would introduce an amendment to stipulate that any jury trial provision include a safeguard to prevent Negroes from being barred from Southern juries.

The Senate planned to vote this week—its fourth of debate on the civil rights issue—on an amendment by Sen. Joseph C. O'Mahoney (D., Wyo.), to provide for jury trials in criminal contempt cases arising from violations of court injunctions intended to support the O'Mahoney amendment.

Under the provision, however, federal judges could impose penalties summarily in civil contempt cases in an effort to persuade would-be offenders to comply with court orders.

Both friends and foes of the O'Mahoney amendment predicted victory, although all conceded the vote will be extremely close. Southern foes of the bill are supporting the proposal.

Administration leaders, defeated last week in their efforts to retain a more sweeping injunction feature in the bill have called upon Republicans to close ranks against the amendment.

A survey showed that at least five GOP senators—and possibly nine—who voted against the administration in the earlier test planned to switch their votes and oppose the O'Mahoney proposal.

Sen. Everett M. Dirksen, GOP whip in the Senate, said he thought the amendment would be defeated "by a very close vote." He said he believed "not more than three or four" Republicans would vote for the measure and "not less" than seven or eight Democrats would join him in voting against it.

But as the Republican opposition grew, support for the amendment increased among Northern Democrats, who have been the traditional leaders in the fight for civil rights legislation.

Sen. Henry M. Jackson (D., Wash.), who voted with the

administration in the earlier test, announced that he would vote for the amendment. Another Northern liberal, who asked not be identified, said he planned to do the same.

Under his plan, the O'Mahoney amendment would be modified to stipulate that Southern juries be selected from the entire population of a judicial district, not just from predominantly white voting lists, as now is the custom.

Meanwhile, Sens. Estes Kefauver (D., Tenn.) a sponsor of the O'Mahoney amendment, and Hubert H. Humphrey (D., Minn.), an opponent, predicted victory for their side in the coming Senate vote.

10 1957

JURY TRIAL

Brownell Plans New Backing for Civil Rights Bill

Charge Jury Trial Amendment 'Sabotages' Civil Rights Bill

Post & Times Herald
By Betty Pryor
Washington, D.C.
The Eisenhower Administration will file strong objections this week to Southern charges that the pending House civil rights bill would deny right of trial by jury, it was learned yesterday.

The protest will be lodged on behalf of President Eisenhower by Attorney General Herbert W. Brownell Jr. The House opens four days of debate on the controversial measure Wednesday, with prospects a final vote may come Saturday. A Southern bloc hopes to amend it to require jury trials in civil rights contempt cases.

Brownell will send the house a letter of protest, probably Monday or Tuesday. The bill as written would permit the Government to obtain injunctions to prevent civil rights violations. The Southerners claim this amounts to denial of the right of trial by jury.

Eighty-three Northern House Democrats supporting the legislation have appealed to President Eisenhower and Brownell to "speak out" on the amendment. They warned it would cripple the measure.

Rep. Kenneth B. Keating of New York, Republican pilot for the bill, said Mr. Eisenhower made clear that he opposes the amendment during an informal discussion with him and others. Keating predicted the amendment would be defeated when its "full significance" was explained.

Rep. Edwin E. Willis (D-La.), a leader of the Southern bloc, said he was confident it would be adopted.

House Democratic Whip Carl Albert (Okla.) predicted adoption after a "real fight."

"Our whole system of justice is based on jury trial," he said. "If the bill can't be made to work in conjunction with jury trial, it has no right to work."

Keating contended the jury trial squabble is a "lot of dust thrown in the air." He said requiring jury trials would be "injecting something new into our laws," since no jury trial is provided in about 30 other laws dealing with contempt.

Atlanta, Georgia: The board of directors of The Southern Conference Educational Fund, Inc., has urged Congress to support and pass the Administration's Civil Rights Bill without crippling amendments.

SCEF president Aubrey W. Williams, of Montgomery, Alabama, in a telegram to Senators and Representatives said to inject into the enforcement of the Civil Rights Bill a jury trial "would completely sabotage its enforcement because it would introduce into the proceeding the very local prejudice against which protection is sought and sorely needed."

The telegram called attention to the full statement adopted by the SCEF board at a meeting in Atlanta, Georgia, a copy of which followed by mail.

"The Administration's Civil Rights Bill" said the SCEF STATEMENT, "in providing injunctive relief properly orients the procedure within the historical area of equity jurisdiction of the courts. Jury trial never has been an integral part of equity proceedings. The contempt powers of equity courts are founded on the fundamental sanctity and authority of the court to enforce its own decree and not on any concept of crime against the state, in which case the right to jury trial is inviolate, and is unaffected by the Administration's bill."

We believe that civil rights, the rights of every American citizen to vote, to worship in peace, and to live securely in the home of his choice, are living and present rights. They are entitled to every safeguard

World Wide 6-19-57
(From The News Journal, Wilmington, Delaware, June 1, 1957)

The right of an accused person is a basic American right. So is the right to vote. Good liberals and good conservatives uphold both. But in Congress, some of them may be confused when Southerners tell them they must not pass a civil rights law protecting the right to vote because that law would take away the right to trial by jury.

It is a false issue. The proposed legislation says that officials who try to keep people from registering and voting may be enjoined to stop the process by a federal court. And if they disobey the court, they may be sentenced for contempt. Now whether a man has obeyed a clear court order is a matter of fact, easily established. No jury is needed to protect his rights because they aren't in danger. Obviously, if he obeys the court, the court is not going to punish him for disobeying.

This principle is so well established that it has hardly been brought into question until now. In matters far less important to us all than the right to vote, judges issue injunctions and punish defiance to them, all without the help of juries. Some of the very states which profess to be concerned over the right to vote, have passed laws forbidding the NAACP to engage in activities such as assembly and propaganda, which are constitutional rights. NAACP officials who engage in such activities are subject to injunction, and to punishment without trial by jury if they disobey.

The reason southern congressmen are insisting on trial by jury of persons charged with violating civil injunctions is that they expect southern juries to acquit guilty officials in disregard of the facts. If you think they wouldn't do just that, you haven't read about what happened this week in Montgomery, Ala.

A jury there acquitted two young white men charged with bombing four churches, a Negro taxi stand, two ministers' homes, and other houses. Were they guilty? Their lawyer talked as if he thought they were.

The lawyer said their acquittal would give encouragement to every white man, woman, and child in the South who wanted to preserve "our sacred traditions" of segregation. He said a verdict setting them free would "go down in history as saying to the Negroes that 'You shall not pass.' Clearly, an acquittal could not have such effects if the accused were innocent.

The right of trial by jury is basic. It is not threatened by long-established injunction practices. But it is grossly perverted wherever juries acquit men they know to be guilty. If the civil rights law is amended to permit—and encourage—such perversions, the right to a jury trial will not be strengthened but weakened.

Senate Unit Approves Civil Rights Jury Trial

Post & Times Herald
Washington, D.C.
June 6-4-57
By Robert C. Albright
Staff F

The Senate Judiciary Committee yesterday approved by a vote of 7 to 3 a Southern-sponsored amendment to the Administration's civil rights bill guaranteeing jury trials in right-to-vote contempt cases. Attorney General Herbert Brownell Jr., in letters to three members of Congress, promptly charged the amendment would undermine authority of the Federal courts and "permit practical nullification" of the civil rights legislation.

The amendment, aimed at what many regard as the heart of the bill, was offered by Sen. Sam J. Ervin Jr. (D-N. C.). Under its terms, persons charged with violating Federal court injunctions forbidding interference with the right to vote, must be tried by a jury rather than a judge. Advocates of the bill contend it is impossible to get civil rights convictions from Southern juries.

On the Committee show-down, two "liberal" Democrats, Sen. Joseph C. O'Mahoney (Wyo.) and Sen. Estes Kefauver (Tenn.), joined one Republican, Sen. John Marshall Butler (Md.) and the following four Southern Conservatives in support of the Ervin amendment: Senators Ervin, James O. Eastland (Miss.), John L. McClellan (Ark.) and Olin D. Johnston (S. C.).

The following three Republicans voted against the jury trial amendment: Sens. Alexander Wiley (Wis.), Arthur V. Watkins (Utah) and Everett M. Dirksen (Ill.).

Watkins sought to poll the five absentee members of the Committee in tabulating the vote, but a Southern objection blocked his move. The reverse vote, all five of those absent would have to vote "No." They are Sens. Thomas C. Hennings Jr. (D-Mo.), Matthew M. Neely (D-W. Va.), William Langer (R-N. D.), William E. Jenner (R-Ind.) and Norman L. Hruska (R-Neb.).

Brownell gave his opinion of the jury trial amendment in letters to Sens. Clifford P. Case (R-N. J.), Thomas H. Kuchel

(R-Calif.) and Rep. Kenneth B. Keating (R-N. Y.). Keating will read the full Brownell letter to a conference of House Republicans today. The House is scheduled to consider the civil rights bill starting Wednesday and House Republicans meet today to chart the GOP course. "The proposed legislation seeks merely to apply long established civil procedures for enforcing Federal laws to civil rights cases where experience has shown the need for civil remedies," Brownell wrote Case, Kuchel and Keating.

"Suits for preventive relief under the proposed legislation will be governed by the traditional rules of procedure which have always applied to such suits. The Government seeks no new or radical procedures to govern injunction suits in civil rights cases."

Brownell said the jury trial amendment would "weaken and undermine the authority of the Federal courts by making their every order, even when issued after due hearing and affirmed on appeal, reviewable by a local jury."

He said prompt action often will be vital in civil rights cases and the amendment would prevent this by providing "numerous opportunities for delay."

Another Southern move to strike out a key provision of the bill failed by a 5 to 5 vote in the Senate Judiciary Committee. The amendment would have knocked out a proposed civil rights investigating commission. The proposal failed when Kefauver and Butler, who supported the jury trial amendment, voted "No" on this one. A Dixie move to greatly expand the investigating power of the commission to include such things as labor picketing failed, 7 to 3.

to see y-l-l-upe

Gen. Davis Named To Chief Of Staff Post With 12th Air Force

By Conrad Clark for ANP

Wiesbaden, Germany-(ANP)-Brig. Gen. B. O. Davis, Jr., the first Negro general officer in the Air Force, is expected to report to the European air command as its new chief of staff about July 1.

The new chief of staff will replace Brig. Gen. William J. Bell, who will return to the U. S. for a new assignment, according to an announcement made here at USAFE's air command, by Lt. Gen. William H. Turner, USAFE commander-in-chief.

Gen. Bell, 49, served as assistant deputy chief of staff for operations at USAFE Hq. from May 1954 to May of last year, becoming 12th AF chief of staff with headquarters at Ramstein, Germany, last year.

The AF's 44-year-old first Negro general, whose father, Brig. Gen. Davis, Sr., (Ret.) was the first Negro general in the Army, was born in the Nation's Capital, and attended Western Reserve University, the University of Chicago, and was graduated from the U. S. Military Academy in 1936.

Brownell Against Jury Amendment

By LOUIS LAUTIER

WASHINGTON, D. C.-(NNPA)—Attorney General Herbert Brownell Monday afternoon threw the weight of his office behind efforts to get the Congress to reject right-to-jury trial amendments to the Eisenhower Administration's civil rights bill.

Four days of debate on the bill began in the House Wednesday. Beginning Monday, the bill will be read for amendments.

Jury Trial OK Aids House Southerners

WASHINGTON, June 3 (AP)—Reps. Haley (D., Fla.), Huddleston (D., Ala.) and Forrester (D., Ga.) said today the Senate Judiciary Committee's action in writing a jury trial amendment into the administration's controversial civil rights bill will help

them on the House side. The House takes up the civil rights bill Wednesday with a vote likely sometime next week.

"The committee's action gives us a good chance of getting a jury trial amendment tacked onto the House bill when it comes up on the floor," Huddleston said.

"It definitely will help us," Haley said.

"It seems the Senate committee has awakened to the fact that this is not just an integration bill by any means. They've found out that basic matters are under consideration. People don't want to lose their trial by jury guaranteed by the Constitution," Haley said.

The Senate committee action was a defeat for the administration, which claims that such a provision would emasculate the legislation.

Forrester said the action would have a "salutary effect" on the House and that it was a recognition on the part of the Senate committee that principle should supersede expediency.

"Our chances of getting a jury trial amendment added on the House floor are greatly enhanced," Forrester said.

Efforts to have the jury trial amendment added to the bill in the House Judiciary Committee failed by a narrow vote.

Forrester said that he didn't think any lawyer members of the House, from whatever section, could fail to be sympathetic to the principle of trial by jury.

The Georgian said he believes that if the House does pass a civil rights measure, it will include the jury trial provision.

Sen. Talmadge (D., Ga.) expressed gratification at the Senate committee action. "The most elementary of civil rights is the right of trial by jury," he said.

Debate Starts Today

House Republicans Taking Stand Against Civil Rights Jury Trial

WASHINGTON, June 5 (AP)—House Republicans voiced strong opposition today to inclusion of a jury-trial provision in civil rights legislation which the House starts debating tomorrow.

Their views were expressed at a party conference held shortly after the House by a vote of 290-117 agreed to lay aside everything else for about seven days beginning tomorrow for a full-scale discussion of the controversial measure.

Four-Day Debate.

The House decided to spend four days on a general discussion of the civil rights bill, after which it will consider amendments. Leaders expect at least three days will be needed to dispose of amendments and obtain a final vote on the measure. They are aiming at sending the bill to the Senate by next Thursday.

It took the House just one hour to decide on procedure, and during that period Southerners warned of "Gestapo" and "Inquisition" procedures that they said might result if the bill becomes law.

Almost all of the 117 votes against even considering the bill were cast by Southern Democrats. The line-up on the resolution formally bringing the bill before the House was: 112 Democrats and 178 Republicans for, and 107 Democrats and 10 Republicans against.

The debate was concentrated on a proposed amendment to guarantee jury trials for persons accused of violating federal injunctions in civil rights cases.

Southerners, who are against the legislation in any shape, are supporting the amendment—which the Senate Judiciary Committee has approved. Without the amendment, Rep. Colmer (D-Miss) told the House, the Justice Department could set up "a veritable Gestapo" and conduct "a virtual Spanish inquisition."

Opponents of the amendment argued that trial by jury has never been provided in civil contempt cases in which the government was a party. Rep. Scott (R-Pa) called it "a right to vio-

late the law" rather than a right to a jury trial.

Southern juries, the jury-trial opponents claim, would never convict persons accused of contempt for violating court orders designed to prevent infringement of voting and other rights.

Republican Leader Martin of Massachusetts, said a majority of the GOP would follow the suggestion of the President and oppose the amendment.

Eisenhower told his news conference today he recalled that William H. Taft, who was president and chief justice, once remarked that, "If we tried to put a jury trial between a court order and the enforcement of that order, that we are really welcoming anarchy."

While the Southerners have little hope of beating the bill in the House, they believe they have a fair chance to amend it. And they are confident that the Senate, as it has in the past, will either stifle the measure in committee or kill it with a time-consuming filibuster.

FINE LINE DIVIDES CONTEMPT CASES

Civil Against Criminal Acts

Are Crux of Jury Trial

Debate on Civil Rights

By ANTHONY LEWIS

Special to The New York Times

WASHINGTON, Aug. 1—The civil rights debate turned tonight on a fine legal distinction that Administration lawyers believe may mean the difference between a workable statute to protect voting rights and an unenforceable promise to the disenfranchised.

The working definitions used by the courts say that fine or imprisonment for civil contempt is imposed merely to make the defendant comply with an order, while criminal contempt is intended as punishment for a past failure to comply.

In the leading case, Gompers tempt, the registrar could resign v. Bucks Clove Co., the Supreme Court put it:

"If it is for criminal contempt the sentence is punitive, to vindicate the authority of the court vote."

In each of these instances it would be too late to force the official to comply with the order by a civil contempt action. The only way to prevent such evasion, in the view of the pro-civil rights group, is to make the election officials fear the possibility of a criminal contempt sentence.

They could be held in criminal contempt for past evasions even if they had resigned and even if the elections were over.

Must Perform Act

"The decree in such cases is that the defendant stand committed unless and until he performs the affirmative act required by the court's order."

Take, for example, the case of a registrar of voters in a Southern state who on one pretext or another refused to register Negroes.

Under present law a person excluded from the voting rolls could sue in a Federal District Court for an injunction forbidding the registrar to continue his assertedly unconstitutional act.

The Administration-backed legislation would allow the United States to bring such a suit for the benefit of the disenfranchised Negroes.

The suit for an injunction would be tried by the judge alone, without a jury. No pending amendment to the civil rights bill would change this.

Refusal Would Be Contempt

If the judge found the Negroes qualified, he could issue a decree ordering their names entered on the voting rolls before the next election. That order could be appealed.

If after appeal a registrar refused to obey a final decree, the party who had brought the suit—a voter or the United States—could move to have him held in contempt until he did obey.

This would be the classic case of civil contempt. A registrar committed to jail could get out at any time by obeying the order. He would be said to carry the keys to his cell in his own pocket.

But the fear of those pushing the civil rights legislation is that by one device or another this civil case could be turned into a criminal one. For example:

"The accused registrar would delay obeying a final order until after the election at issue had been held."

"Once jailed for civil con-

South Gains Constitution On Jury for Mon. 6-3-57 Rights Trial Atlanta, Ga. By ALLEN DRURY

(Copyright 1957 by The New York Times Co.)

WASHINGTON, June 2 — The administration's civil rights bill comes to the floor of the House this week amid indications that Southern members may succeed in writing in an amendment to guarantee trial by jury in rights cases.

Attorney General Brownell is expected to carry the administration's fight against the amendment in a letter he is scheduled to send to House Republican leaders when debate gets under way Wednesday.

FUNDAMENTAL RIGHT

Ranged against him will be almost all the House's Southerners, as well as some Northern and Western Democrats and Republicans persuaded by the Southerners' charge that the bill as now drafted would deny a fundamental American right.

The debate, scheduled to begin Wednesday, will run at least through a specially-called Saturday session. If Southerners succeed in their use of parliamentary tactics—the nearest thing they have to match the Senate filibuster—the debate may well continue into the following week.

KEY PART OF STRATEGY

The jury trial amendment, beaten in the House Judiciary Committee by only two votes, has been a key part of Southern strategy in both houses of Congress. Southerners have centered their fire on a provision of the bill authorizing the attorney general to seek injunctions or damages in federal court in the name of the United States against private persons or public officials, such as election officials, who have interfered or might attempt to interfere with voting or other

civil rights.

The Southerners argue individuals thus accused of contempt of a court injunction would

be denied their right to trial by jury.

They intend to offer an amendment taken almost word for word from a Norris-LaGuardia Labor Act provision that guarantees jury trials in labor cases involving contempt charges.

In addition, opponents of the civil rights measure also plan to offer a "right to work" amendment that would ban labor contracts requiring employees to join labor unions after getting jobs. More than 20 other amendments have also been readied to apply to other sections of the bill, whose major provisions as they now stand would:

1. Create a six-member, bipartisan, unpaid commission on civil rights to be appointed by the President with Senate concurrence for a two-year term. It would be empowered to subpoena witnesses and documents and hold hearings to investigate "allegations in writing under oath that certain citizens are being deprived of their right to vote by reason of their color, race religion or national origin."

2. Create a new assistant attorney general in charge of civil rights and expand the present civil rights division of the Department of Justice.

3. Empower the attorney General to bring civil action

in federal courts in the name of the United States for preventive relief.

4. Permit complainants to seek relief in federal courts regardless of whether or not they had first exhausted all remedies of state courts, thus in effect bypassing the latter.

Although the bill's principal floor manager, Rep. Keating (D-NY), has described the jury trial issue as "a lot of dust thrown in the air," it was evident today that it was weighing much more heavily than that with many members.

Jury Trial Rider Constitution June 6-4-57 Put in Rights Bill Atlanta, Ga. P.1 By Senate Panel

WASHINGTON, June 3 (P)—A jury trial provision won approval by the Senate Judiciary Committee today over protests of administration backers that it would seriously weaken the civil rights bill.

Chairman Eastland (D-Miss) announced the 7-3 vote after a closed session. Six Democrats and one Republican supported the amendment. Three Republicans voted against it.

The amendment would guarantee trial by jury to persons accused of contempt of court in civil rights cases.

CAME AS IN OTHER CASES

Eastland, who supported the amendment while continuing to oppose the civil rights bill as a whole, said the section added today would give civil rights defendants the same right trade unionists now have in labor injunction cases.

Backers of the administration bill argue, on the other hand, that

Southern juries in particular would be unlikely to convict a person charged with violating court orders in voting or other civil rights cases.

Atty. Gen. Brownell said the jury trial provision "would permit practical nullification" of proposed civil rights legislation.

INSISTS SAFEGUARDS EXIST

Brownell's letter—to three lawmakers who had requested his opinion—was made public shortly after the judiciary committee's action.

Brownell said contempt proceedings normally are taken before judges, not juries, with full safeguards for the rights of those accused.

"The effect of adopting current

2. Knocked out a "right-to-work" proviso offered by Sen. McClellan (D-Ark). This would have added to the civil rights bill a ban on labor agreements requiring employees to be union members. McClellan told newsmen he probably would reoffer it later.

Eastland said those voting for

the jury trial

amendment in addition to himself, were Sens. Kefauver (D-Tenn.),

Olin Johnston (D-SC),

O'Mahoney (D-Wyo), Ervin (D-NC), Butler (R-Md) and McClellan. Ervin was the sponsor of the amendment.

Those voting "No" were GOP Sens. Wiley (Wis), Dirksen (Ill) and Watkins (Utah). Watkins tried unsuccessfully to get unanimous consent that five committee members absent today be allowed to vote on the amendment later.

Eastland said it is possible, however, for an attempt to be made at a later meeting to reconsider today's decision.

JURY PROVISION IN RIGHTS BILL

New Orleans, La.
Southerners Win Fight to

Add Clause

June 4-57
By ED CREAGH

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Eastland, who supported the amendment while continuing to oppose the civil rights bill as a whole, said the section added today would give civil rights defendants the same right trade unionists now have in labor injunction cases.

Unlikely to Convict

Backers of the administration bill argue, on the other hand, that Southern juries in particular would be unlikely to convict a person charged with violating court orders in voting or other civil rights cases.

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Brownell said contempt proceedings normally are taken before judges, not juries, with full safeguards for the rights of those accused.

Would Weaken Authority

"The effect of adopting current proposals for jury trials would be to weaken and undermine the authority of the federal courts by making their every order . . . reviewable by a local jury," Brownell said.

Sens. Case (R-NJ) and Kuchel (R-Calif.) and Rep. Keating (R-NY) had asked Brownell's views on the jury trial proposal.

Southern house: 6th pgh.

Southern House members plan to fight for a similar amendment

when a companion civil rights bill reaches the floor Wednesday.

In other actions today, the Eastland committee: 1. Let stand, on a 5-5 tie vote, a proposal to set up a bipartisan commission which would look into allegations that Americans are deprived of voting rights or subjected to "unwarranted economic pressures by reason of their sex, color, race, religion or national origin."

2. Knocked out a "right-to-work" proviso offered by Sen. McClellan (D-Ark). This would have added to the civil rights bill a ban on labor agreements requiring employees to be union members. McClellan told newsmen he probably would reoffer it later.

Voting Revealed

Eastland said those voting for the jury trial amendment, in addition to himself, were Sens. Keftauver (D-Tenn.), Olin Johnston (D-SC), O'Mahoney (D-Wyo), Ervin (D-NC), Butler (R-Md) and McClellan. Ervin was the sponsor of the amendment.

Those voting no were GOP Sens. Wiley (Wis), Dirksen (Ill) and Watkins (Utah).

Watkins tried unsuccessfully to get unanimous consent that five committee members absent today be allowed to vote on the amendment later.

Eastland said it is possible, however, for an attempt to be made at a later meeting to reconsider today's decision.

Jury right

Dixie cry

dealt blow

June 4-57

WASHINGTON — The acquittal by an all-white jury of two confessed bombers of a Montgomery church will definitely help Congressional advocates of civil rights legislation.

That was the opinion shared not only by NAACP Secretary Roy Wilkins, but many leaders of both parties in the House and Senate this week.

For one thing, the Alabama case snatches the rug from under Southerners, who have been arguing the Eisenhower

bill would deny the right of trial by jury.

The action of the Montgomery jury makes it fairly clear that Southern white juries find it impossible to be guided by the law and evidence in cases where the racial question is a factor.

* * *
"IF COLORED PEOPLE

can't get justice in jury trials involving bombing and murder, they will not get justice in jury trials involving denials of the right to vote," Mr. Wilkins pointed out.

"It is this kind of justice, dispensed by these kinds of juries that the opponents of the civil rights bills in Congress are trying to tack onto the bill," he asserted.

From Rep. Adam Clayton Powell (D., N.Y.) came a different kind of reaction.

He has proposed that the 50,000 colored people of Montgomery take careful note of names of the jurors and then refuse to patronize their businesses.

THIS PROPOSAL did not get an enthusiastic response from Dr. Martin Luther King Jr., who led the year-long bus boycott in Montgomery.

He merely said that he and his followers of the Montgomery Improvement Association are debating what steps to take next and will make an announcement later.

He refused to say whether or not he will discuss the Montgomery jury action with Vice President Nixon when the two confer here on June 13.

Simultaneous with the Alabama verdict, Sen. William Knowland, Republican leader, emerging from a conference with President Eisenhower, pledged that members of his party will make an all-out fight to secure enactment of civil rights laws.

A similar pledge came from Sen. Douglas (D., Ill.) who announced plans to deliver a speech on the Senate floor detailing a long list of cases in which Southern juries have flouted justice by acquitting white men accused of killing, kidnapping and terrorizing colored persons.

Before the Montgomery jury filed into the courtroom on May 30, Circuit Judge Eugene W. Carter warned the crowd against any demonstration.

But the moment court was

adjourned the white spectators, many of whom were identified as Klansmen, burst into loud applause and cheering at the acquittal of the bombing suspects.

THE JURY, which deliberated one hour and 35 minutes before reaching a verdict, had heard John Blue Hill and John Harris, defense attorneys for the accused men, argue that the verdict "will determine our very civilization and our way of life 'in the South and do more to insure the passage that 'it must go down in history as saying to colored people that 'you shall not pass'." know."

THE VERDICT cleared Raymond C. Britt Jr., 27, and Sonny Kyle Livingstone, 19, of the charge of bombing the Hutchinson Street Baptist Church, of which the Rev. Martin Luther King is pastor, during the outbreak of violence that followed the end of city bus segregation in Montgomery.

The trial began Monday, and although a confession taken from Livingstone had been admitted as evidence and five other state witnesses had testified to having knowledge of the bombing plot, the jury reacted to the impassioned oratory of the race baiting defense attorneys.

Before the verdict was returned, Circuit Solicitor Wilfam F. Thetford had announced that bombing charges against two other defendants and two other counts against Britt had been continued until the July term of court at the request of the defendants.

FOUR CHURCHES, the homes of two anti-integration ministers, a colored taxicab stand and an adjoining residence were bombed in two outbreaks of violence last winter. A note found in Britt's home implicates him in the bombing of another church and a filling station.

The Rev. Martin Luther King, although not a defendant in the case, Tuesday afternoon, was needled by Attorney Harris in an attempt by Harris to show that the Montgomery Improvement Association, of which King is president, had a financial motive for committing the bombings for which Britt and Livingstone were on trial.

Both the solicitor and the defense attorneys waved the banner of segregation in their long closing speeches to the jury.

Thetford, in arguing for the conviction of the accused, said the following:

"Let's lay it on the line, gentlemen. The question is not whether these men are guilty or innocent, but the question is whether this jury will convict."

"Verdicts of not guilty would do more to insure the passage of civil rights bills now before Congress than anything I know."

"WE DON'T want racial rioting in Montgomery, but if one can play at this game, both can. If you turn these men loose under the evidence the state has presented, you say to the Ku Klux Klan 'if you bomb a colored home or church, that's all right'."

"Then," he continued, "the next thing you know it will be your church or your home, because it's a sword that cuts both ways."

Said Deputy Solicitor Robert Stewart:

"Only so long as the jurors in this state and every other Deep South state, administer justice equally and enforce laws relating to racial conflict, only so long can you expect to keep on trying cases in our own state courts before our duly elected officials."

HILL, WHO closed the defense arguments, was most vituperative. Said he:

"Colored goon squads were responsible for the bombings in order to get financial aid of northern sympathizers. A guilty verdict will be a verdict for Martin Luther King and his imps who seek to destroy our southern way of life."

"Your verdict," he told the jury, "will determine our very civilization and way of life."

"When you come out of that jury room with a not guilty verdict you can go home to your wives and children and say 'I have done my duty. I have done something to save our way of life'."

House Starts Civil Rights Debate Today;

Jury Trial Provision Raises GOP Anger

By WILLIAM F. ARBOGAST

WASHINGTON, June 5 (AP) — House Republicans voiced strong opposition today to inclusion of a jury-trial provision in civil rights legislation which the House starts debating tomorrow.

Their views were expressed at a party conference held shortly after the House by a vote of 290-117 agreed to lay aside everything else for about seven days beginning tomorrow for a full-scale discussion of the controversial measure.

The House decided to spend four days on a general discussion of the civil rights bill, after which it will consider amendments. Leaders expect at least three days will be needed to dispose of amendments and obtain a final vote on the measure. They are aiming at sending the bill to the Senate by next Thursday.

It took the House just one hour to decide on procedure, and during that period Southerners warned of "Gestapo" and "Inquisition" procedures that they said might result if the bill becomes law.

Almost all of the 117 votes against even considering the bill were cast by Southern Democrats. The line-up on the resolution formally bringing the bill before the House was: 112 Democrats and 173 Republicans for, and 107 Democrats and 10 Republicans against. The debate was concentrated on a proposed amendment to guarantee jury trials for persons accused of violating federal injunctions in civil rights cases.

Southerners, who are against the legislation in any shape, are supporting the amendment—which the Senate Judiciary Committee has approved. Without the amendment, Rep. Colmer (D-Miss) told the House, the Justice Department could set up "a veritable Gestapo" and conduct "a virtual Spanish inquisition."

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never been provided in civil contempt cases in which the government was a party. Rep. Scott (R-Pa) called it "a right to violate the law" rather than a right to a jury trial.

Southern juries, the jury-trial opponents claim, would never convict persons accused of contempt for violating court orders designed to prevent infringement of voting and other rights.

Republican Leader Martin of Massachusetts, said a majority of the GOP would follow the suggestion of the President and oppose the amendment.

Eisenhower told his news conference today he recalled that William H. Taft, who was president and chief justice, once remarked that, "If we tried to put a jury trial between a court order and the enforcement of that order, that we are really welcoming anarchy."

While the Southerners have little hope of beating the bill in the House, they believe they have a fair chance to amend it. And they are confident that the Senate, as it has in the past, will either stifle the measure in committee or kill it with a time-consuming filibuster.

The bill contains these four major provisions:

1. It would create a bipartisan commission on civil rights as a part of the executive branch of government.

2. It would set up in the Justice Department the post of assistant attorney general to head a civil rights division.

3. It would allow the attorney general to seek injunctions to prevent violations of civil rights whenever he believed someone was about to violate them. Disregard of injunctions would be punishable as contempt of court.

4. It sets up new safeguards for voting rights.

Rights Bill Jury Trial Section OK'd By Senate Judiciary Unit

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Atty. Gen. Brownell said the jury trial provision "would permit practical nullification" of proposed civil rights legislation.

"The effect of adopting current proposals for jury trials would be to weaken and undermine the authority of the federal courts by making their every order reviewable by a local jury," Brownell said.

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would look into allegations that Americans are deprived of voting rights or subjected to "unwarranted economic pressures by reason of their sex, color, race, religion or national origin."

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work" proviso offered by Sen. McClellan (D-Ark). This would have added to the civil rights bill a ban on labor agreements requiring employees to be union members. McClellan told newsmen he probably would reoffer it later.

Eastland said those voting for the jury trial amendment, in addition to himself, were Sens. Kefauver (D-Tenn), Olin Johnston (D-SC), O'Mahoney (D-Wyo), Ervin (D-NC), Butler (R-Md) and McClellan. Ervin was the sponsor of the amendment.

Those voting no were GOP Sens. Wiley (Wis, Dirksen (Ill) and Watkins (Utah).

The defense attacked the Negro leaders and, as might have been expected, attempted to leave the impression with the jury that the Negroes themselves had bombed their churches. This, apparently, got nowhere, however.

Perhaps the prosecution spoke truth when it said that the verdict of acquittal might help the civil rights bills to pass in Congress. The right of the states to enforce their laws and the rights of "a trial by jury" in state courts on cases involving civil rights has strong validity.

But the Montgomery case will certainly raise arguments by proponents of the civil rights bills which are sponsored by President Eisenhower as to just what a "trial by jury" means in the South when the Negro question is involved. Here the prosecution as well as the defense waved the manner of segregation in a courtroom packed with people who seemed to think that segregation and not the bombing of churches was the issue involved. This trial by jury takes its place alongside the trial of the Emmett Till murder case in Mississippi.

Trial by jury is the foundation of our system of justice. Its integrity must be safeguarded.

Abuse Of Jury Trial

EDITOR ALFRED D. MYNDERS IN THE CHATTANOOGA TIMES.

RINGING applause greeted the acquittal of two young white men with bombing a Negro church in Montgomery. The 12 white jurors deliberated only an hour and 35 minutes. Both Raymond B. Bitt Jr. and Sonny Kyle Livingston Jr. had signed confessions.

Regardless of the verdict of acquittal, however, the atmosphere in the courtroom was charged with segregation feeling. The defense appealed for acquittal to give encouragement to "every white man, every white woman and every white child in the South who is looking to you to preserve our sacred traditions." Is the bombing of Negro churches one of our sacred traditions?

The prosecutor told the jury that "Negro agitators would like nothing better than a verdict of acquittal."

Then he made his pitch to play upon the segregation sentiment which might have been held by some of those 12 white jurors. He said: "There is a civil rights bill pending in Congress, and it is sponsored by the NAACP. An acquittal here would do more than anything I can think of to pass that bill."

The defense attorneys argued that the verdict would determine "our very civilization and our way of life in the South" and that it must "go down in history as saying to the Negroes that 'you shall

The Jury Trial Amendment Vote

IT HAS appeared for some days now that the civil rights bill in Congress as first drawn would not, after all, be enacted. The bill appears to have even less chance now that the Senate Judiciary Committee has amended it to provide jury trial for those accused of violating federal court orders to register Negroes to vote.

At the beginning of this session of Congress, Senator Lyndon Johnson of Texas and others were suggesting that the South would have to compromise as even the filibuster wouldn't block the legislation. An exception was Senator Hill of Alabama, who in an interview with *The Advertiser* conceded that the struggle would be the most difficult one yet but predicted that the South and good sense would prevail.

The action yesterday in which the jury trial amendment was affixed by a vote of 7 to 3 was notable for other reasons.

For example, Senator Kefauver, who has an understandable desire to be both a senator from Tennessee and a candidate for the Democratic presidential nomination in 1960, was ripped. In Tennessee, *The Nashville Banner* was blow-torching him with charges of indecision and NAACP flirtation. In the North, the people without whose help he could not obtain a presidential nomination were watching him with a gimlet eye.

Much of the strength of the Southern position comes from congressmen who disagree with the South on race mixing compulsion, but abhor the principle of dispensing with jury trial. Thus Senator Butler, a Maryland Republican, and Senator O'Mahoney, a Wyoming Democrat, voted for the jury trial amendment.

Finally, the committee action was notable because the session was held behind closed doors. It happens in this case that the committee action was most agreeable to the South, but the growing abuse of congressional secrecy operated.

Closing the doors on press and public in Congress is a reactionary trend that ill becomes a country that glorifies and partakes deeply of democratic ways.

In the 18th Century the British Parliament adjudged it a "high indignity" for anybody to report in a newspaper the debates and proceedings of Parliament.

In 1789 the U.S. Senate held its regular session behind closed doors. In 1789 the House debated whether to eject the press. In 1801 the Jeffersonian Congress formally admitted the press.

Now in evidence is a reaction to this democratic freedom. For example, in 1953 some 41% of the committee sessions were held in secret. The only remedy for this secrecy is public disfavor.

Case Opposes Trial By Jury In Rights Bill

WASHINGTON, May 22 (AP)—Sen. Clifford P. Case (R-N.J.) said today that "neither the Constitution nor prior legal precedent provides for a jury trial in contempt cases of the kind which might arise" under the Administration's civil rights bill.

He told the Senate that because of "confusion" over this issue, he was gratified the American Civil Liberties Union had issued a statement opposing a jury trial amendment to the bill.

"During its long career," he said, "the Civil Liberties Union has steadfastly refused to temporize with any of our Constitutional liberties. For this reason, its opposition to the jury trial amendment assumes particular significance at this time."

HEART OF ATTACK

Case said "the heart of the attack" made by opponents of the bill is that persons cited for contempt of court for alleged violations of injunctions obtained by the government to enforce voting and other civil rights would be denied the right to trial by jury.

Southern foes of the measure hope to write a jury trial amendment into the bill when it comes up for action in the House, probably in the first week of June.

In the Senate, where the legislation still is bottled up in the Judiciary Committee, a similar effort is planned. Administration spokesmen have said such an amendment would cripple the bill.

'NO PLACE HERE'

Case said he fully appreciates "the jury's value as a check upon the arbitrary exercise of governmental power, but I am convinced that it has no place in this legislation."

He noted that the Civil Liberties Union said that while misuse of government power must be guarded against vigilantly, the power of the courts to uphold the law must not be weakened.

"Enforcement of the law has been undermined in some sections of the country where community

sentiment has blocked effective enforcement of the right to vote," Case said, adding:

"If court orders are to be respected in cases of this kind in which the federal government seeks to uphold public policy, the courts must be able to punish contemptuous acts."

JURY TRIAL

The silent filibuster that has been going on all winter and spring against the Administration's mild civil rights bill has now ended in the House, and formal debate on the measure has begun at last. The bill has a good chance of passing there; but even if it does it will come up against much tougher—and longer-winded—opposition in the Senate.

Very different from the filibuster threat, and in some ways even more serious, is the jury-trial amendment that will be proposed as an addition to the bill in the House and that has already been added to it in the Senate version, which is still in committee. This amendment is the brain-child of the astute Senator Ervin of North Carolina; and there is no doubt that it has a specious appeal. But it is really a device to undermine one of the most important provisions of the pending bill.

As introduced by the Administration, the bill permits the Attorney General to seek injunctions in Federal court to prevent local officials from denying voting or other civil rights to anyone. The Ervin amendment provides jury trial for persons cited for contempt for violating injunctions so issued. Since trial by jury is one of the great guarantees of the individual against the power of the state, it may seem at first glance that this is only a reasonable effort to insure that justice is done.

But actually it is a means to block enforcement of the court decree either until it is too late to do any good or indefinitely—inasmuch as few if any Southern juries would be likely to approve Federal action in such cases. Jury trial for contempt citations under the circumstances envisaged in the civil rights bill is not and never has been a normal legal procedure. As Senator Case of New Jersey pointed out yesterday, none of the Southern states in the forefront of the effort to defeat the right-to-vote legislation "has a provision for jury trial in contempt cases of the kind here involved."

The procedure envisaged in this bill is designed primarily not to punish an official for committing a crime, but to prevent him from committing a crime. The court's right

to punish him for ignoring that kind of restraint is an expression of the authority of the court itself—an authority which, in Chief Justice Taft's words alluded to by President Eisenhower, "is essential unless we are prepared to embrace anarchy."

Nearly two months ago Senator Douglas of Illinois entered in the Congressional Record a detailed and interesting brief on this whole subject, pointing out that the jury-trial amendment is not only meant to hamstring enforcement of the law but may well be unconstitutional itself. It would "deny to the Government of the United States its duty and its power to give the citizen effective protection in his right to vote and in his fundamental rights to equal protection and liberty and security under law."

Jury Trial

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Denies Wavering

Kennedy Defends His Votes On Rights Bill In Senate

By ETHEL L. PAYNE

Sen. John Kennedy last Tuesday vigorously denied that he has asserted civil rights and "sold out to the South."

Instead, the Massachusetts legislator launched a counter-attack upon the Republicans for "playing politics with human rights." In an exclusive interview for the Defender, Kennedy predicted the passage of civil rights and said he would vote for cloture to limit debate.

Since June 20 when he voted with the Southern bloc first to sustain a point of order raised by Sen. Richard Russell of Georgia as to whether the bill could pass the Senate Judiciary Committee and secondly, against a motion to place the bill on the calendar as pending business, the boyish looking 40-year-old Senator has been the target of severe criticism.

OPPOSED PROCEDURE

Kennedy insisted that the issue involved was over a matter of procedure and had nothing to do with his position on civil rights. "I just felt it was a bad precedent to set in by-passing a Senate committee," he said. "It was a great mistake and it may seriously affect other important legislation in the future, such as right to work laws which have been fighting against, natural gas, and many others."

"It would have been far better to have sent the bill to committee in the regular order and then proceeded with a discharge petition as I proposed along with several other senators. We could have got a majority to go along with this," he explained. "As it is, it has established a dangerous precedent. I realize that my action is difficult to explain."

It would have been easy to just have gone along with those who voted to upset the usual order; "These are times when the friends of civil rights must be pulling together, not quarrelling amongst themselves."

NOT A CANDIDATE

"I have no apologies to make for my action. I think my 11 year record in the House and Senate is demonstration of my position on civil rights and this has not changed at all."

Showing visible anger, the Senator challenged the Republican record on rights.

"I was with the handful of senators who worked to get Rule 22 changed in 1953, 1956, and again this year in January, but where one vote on procedure would outweigh my 100 percent record on civil rights legislation and professes to be a champion of the rights?"

"He, along with a majority of Republicans, were against changing the rules. Only this year the Republicans become intensely interested in civil rights because of votes."

ANSWERS CRITICS

In three letters, Kennedy replied to leading citizens who criticized his June 20 votes.

On June 24, he wrote Herbert E. Tucker, jr., president of the Boston branch of the NAACP.

"You need not have any fears," he said. "Hell's Canyon is 2,500 miles away from Massachusetts." He added that this was not an issue, because it was well known that I have weakened one bit in my efforts to assure the passage of the best civil rights bill possible without ruinous amendments.

"Sens. Morse, Anderson, Mansfield, Murray, Magnuson and others who have and always will have 100 percent records on this issue, shared my feelings that the extraordinary procedure attempt by Sen. Knowland, Vice President Nixon, and others who have not heretofore been friendly to this cause was a most unwise one."

Kennedy chided Roy Wilkins, the executive secretary of the NAACP in a letter to him July 9. "These are times when the friends of civil rights must be pulling together, not quarrelling amongst themselves."

SENATOR KENNEDY

trials in ordinary contempt cases lie housing which he has always of equity, but he reserved comment on the proposal until he had had time to study it.

He pointed out that he was the first New England Senator to place a Negro on his office staff (in Boston) and that he had recently turned over his Pulitzer prize money for his book, "Profiles in Courage" to the United Negro College Fund.

Sen. Kennedy declined to take issue with a charge made recently by Congressman Adam Clayton Powell that the Democrats are deliberately ditching the Negro vote and labor and going all out for the South. However, he admitted that the Democrats were split over civil rights and this was campaign strategy for the Republicans.

As a member of the Senate labor committee, he said he had



SEN. JOHN F. KENNEDY

been working for months to get a minimum wage bill voted out, but each time he was blocked by Republicans on the committee.

Senator Kennedy contended, that the economic policies and philosophy of the Democratic party are more beneficial to Negroes and other minority groups than the Republican, as for example, pub-



ROBERT KENNEDY (left) confers with his brother, Senator John Kennedy. Photo was made during Senate investigation of labor racketeering.

Robert was counsel for the Senate committee conducting the investigation and John was serving on the investigating committee.

Here's Kennedy's Record On Rights

- WASHINGTON — Elected first to the 80th Congress as a representative, November, 1946, Sen. Kennedy served three terms and then was elected a Senator in 1952. He comes up for re-election in 1958.
- IN THE HOUSE**
1. Opposed Jim Crow Registered Colleges Plan — May 4, 1948
 2. Voted against segregation in the Spars — April 4, 1949
 3. Voted to abolish the poll tax — July 23, 1949
 4. Supported the Powell FEPC Bill — Feb. 22, 1950
 5. Supported Point IV Aid — March 31, 1950
 6. No vote on Rankin bill for Jim Crow Veteran's hospitals — June 6, 1951
 7. Voted to sustain the Truman veto of the McCarran-Walter Immigration Act — June 26, 1952
- IN THE SENATE**
1. Voted to change Rule 22 — Jan. 7, 1953
 2. No vote on Hawaii-Alaska statehood bill — April 1, 1954
 3. Voted against a cut in Public Housing — June 7, 1955
 4. No vote on D. C. Home Rule — June 29, 1955
 5. No vote on poll tax in servicemen overseas absentee ballot — Aug. 1, 1955
 6. Voted against Daniel-Mundt amendment to change the electoral college in such a way that the South would have gained more proportionate representation and led the floor fight on this — March 23, 1956
 7. Voted against a cut in Public Housing — May 24, 1956
 8. Voted for the nomination of

Simon E. Sobeloff as Federal District Judge — July 15, 1956

9. Voted for lowering the age limit for women for social security benefits and disablement — July 17, 1956

10. Voted against Douglas motion to adjourn in order to bring up the civil rights bill — July 24, 1956

11. Voted to take up Rule 22— January, 1957.

12. Voted to sustain the Russell point of order to send H. R. 6127 to committee — June 20, 1957

13. Voted against motion to place to committee — June 20, 1957

13. Voted against motion to place civil rights bill on the calendar— June 20, 1957

DREW PEARSON Says:

Knowland Indicates He'll Compromise On Rights Debate To Avoid Filibuster

WASHINGTON—President Eisenhower blinked when William F. Knowland of California, Senate Republican leader, reported at the White House strategy session: "The filibuster against the Civil Rights bill is conceivable. Congress in session until September. Those Southerners are really smart parliamentarians. They know every delay in the book."

Knowland strongly indicated, however, that he would be ready to compromise to prevent a prolonged filibuster which would tie up appropriation of other important legislation.

On compromise

"But I will compromise," he added, "would be an indication of the Democratic leadership that the civil rights bill would be put on the Senate calendar for debate on a date next January."

"In the event of a long filibuster," he said, "I would be sure to get the President, 'what happens to the rest of our program—the school bill, the OTCA extension of reciprocal trade, the postal rate increase and so on?'"

"I guess it would have to be put on until the next session of Congress," replied Knowland.

Eisenhower said he hoped this would happen. Once again he stressed his hope for action on the school construction bill. Republican leaders nodded without comment. They consider the school bill virtually a dead duck, not because of the civil rights filibuster, but because of the U.S. Chamber of Commerce.

Chamber of Heart?

Not long ago, when the House passed the civil rights bill, the President heartily congratulated House Republican leaders Joseph Martin and Charles Halleck. He said it was an excellent measure. But at this week's White House meeting, he seemed to be getting cold.

"I'm a little concerned about

Section 3 of the bill," he told Republican leaders. "Senator Russell of Georgia has objected that it may open the door to the use of troops. Nobody wants that. I'm sure I don't. I hope the Senate will carefully look over this section and make any changes that may be necessary."

There was a chuckle when Senator Knowland suggested that the President should not let the Senate filibuster interfere with his vacation plans.

Answer to Query

LES WEINROTT, CHICAGO—The reason President Eisenhower sent such an icy message to the Truman Library dedication, in contrast to the fact that ex-President Herbert Hoover came a long way to be present, probably goes back to the speech Truman made in San Francisco during the 1952 campaign in which he pointed out that Eisenhower, as American commander in Germany in 1945, should have taken a stand against the Russian corridor around the City of Berlin.

Eisenhower has snubbed Truman ever since, would not get out of his car to greet the retiring President when the pair drove up to the Capitol for Ike's first inauguration, and refused to see Truman when the latter tried to pay a courtesy call during the President's visit to Kansas City four years ago.

State Department officials have suggested that Truman be sent abroad as a goodwill ambassador to counteract the Khrushchev-Bulganin visits, but Ike has said no. Though Roosevelt and Hoover never got along, probably there has never been a President who felt so strongly toward his predecessor as Eisenhower does toward Truman.

Letter Got Action

EX-SENATOR William Benton of Connecticut was surprised, while attending the Truman Library dedication, to see a letter of his framed as one of the library's exhibits.



SENATOR KNOWLAND

Wants definite date

It was a letter he had written, as a senator, to President Truman stating that his hearings on civil rights had convinced him that the President of the United States had the power to enforce fair-employment practices on all Government contracts immediately and without the passage of a law by Congress.

Under his now framed letter, Benton noticed a note scribbled in Truman's own handwriting, addressed to Charles Murphy, the White House counsel, which said: "Please prepare an order to carry this out. HST."

Next to the letter was an explanatory note by the Truman librarian explaining that this illustrated the manner in which Presidential orders sometimes originated.

It was the first time Senator Benton had known that he originated enforcement of Fair Employment Practices on Government contracts.

Just Like Teachers

CHAMELEONS, best known for their changes in color, have trick eyes. One eye can look up while the other pivots down. Eyelids have a peephole that they can shift in all directions.

SENATOR KNOWLAND

SPRING MONTHS are cooler than the corresponding months of autumn because it takes hot summer sun to warm the earth's crust and the seas and icy wildernesses of the Far North.

National Geographic Society

Struggle Over Civil Rights Bill May Tie Up Action Of Senators

JACKSON, Miss. (UPI)—Sen. Knowland (R-Calif.) said today President Eisenhower realizes that an upcoming battle over a civil rights bill may tie up Senate action on all administration legislative requests for eight weeks or longer.

"He is familiar with all eventualities," Knowland, Republican Senate leader said in an interview that indicated this had been discussed at the White House.

Knowland has served notice that on Monday he will ask the Senate to take up the administration civil rights bill, recently passed by the House.

PROMISED DEBATE

Sen. Russell (D-Ga.), floor leader of determined Southerners fighting the bill, has promised exhaustive debate although any actual filibuster may be delayed until after a Senate vote on the move to take up the controversial measure.

Russell already has told the Senate that the House-approved measure could cause "unreasonable confusion, bitterness, and bloodshed."

He has promised a long floor fight aimed at amending and rewriting the measure, with an eventual goal of killing it.

Knowland said ahead of time that he is unwilling to put the controversy aside to act upon other noncontroversial measures which the President has asked.

Some legislative measures do have priority, such as compromises of bills that the Senate and House had previously passed in different form, or annual money bills.

INDIRECT FILIBUSTER

Once these are called up, Knowland noted that they also come under the Senate rules for virtually endless debate and can be used as an indirect filibuster against resuming debate on civil rights.

Knowland said he now expects

the civil rights dispute to continue "until about September first."

"There should be quite a bit of legislation to consider even after civil rights is decided," Knowland said. "We probably may have to stay in session until mid-September."

Knowland mentioned the Eisenhower-backed bills for federal school aid and immigration revision as just two examples, adding that there are many more.

DIXIE-BLOC BRACED

Senate Rights Bill Debate Set Monday

WASHINGTON, July 3 (UP)—Senate Republican Leader William F. Knowland (Calif.) and Southern Democratic senators announced today that the battle over President Eisenhower's civil rights program will be joined on the Senate floor Monday.

Their decision came shortly after the President strongly objected to a Southern proposal to hold a national referendum on his program. He told a news conference he knew of no constitutional machinery for submitting legislation to a vote of the people.

Knowland told the Senate he would move to bring the civil rights bill before the Senate early Monday afternoon. He had said earlier he would decide on the timing after a conference with Senate Democratic Leader Lyndon B. Johnson (Tex.).

Sen. Richard B. Russell (D-Ga.), leader of the Senate Southern bloc, promptly assured Knowland that "some of us will be here on the floor to discuss" the measure.

His statement signaled a filibuster in the greatest civil rights fight of the century.

Russell said yesterday he would offer an amendment to the bill to make the proposed law effective only if approved in a national

Rights Backers "Split" Over Proposed Compromise Plan

Daily World Sun. 7-7-57
Atlanta, Ga. P. 1

WASHINGTON—Two top backers of the House-passed Civil Rights Bill were apparently in opposite corners Saturday when the hint of a compromise on the measure pervaded the Capitol.

Senate GOP leader William F. Knowland (R-Calif.) held out hope for a compromise on the civil rights issue, but his chief Democratic ally in the forthcoming battle called talk of such a deal "premature."

GOOD AS STANDS

Sen. Paul Douglas (D-Ill.) leader of the Liberal Forces backing the administration's measure, said flatly:

"The Civil Rights Bill is a good one as it stands. The important thing is for the Senate to get the right to discuss it. Until that is done any discussion of amendment is premature."

Sen. Carl Mundt (R-SD) said he expected the compromise to guarantee Negroes the right to vote. He said this would be an Eisenhower victory in that it would guarantee to Negroes and other minorities the right to vote and provide other features. Beyond that, he said, it would have "elements of a Southern success."

TOO EARLY

He said it was too early to do much predicting about the form of the compromise but that he was sure the bill in its present form would not be bought by Southerners. Sen. Mundt expects the agreement to be reached in time for Congress to adjourn by mid-August.

The fight over taking up the House-Approved measure starts Monday.

Knowland said in an interview that he has not closed his mind to the "fact that there may be amendments that are desirable."

The California Republican added "I think eventually there may be some amendments offered that perhaps will make the bill more acceptable."

STARTS DURING HOLIDAY

Compromise talk began to circulate over the fourth of July holiday but seemed to come primarily from the republican side led by Knowland and from Southern Democrat who are prepared to stage a summer-lone-filibuster against the Legislation which the Administration says is designed to protect voting rights for Negroes.

Knowland said Friday he would offer a motion Monday to get the bill before the Senate before the end of this week.

He hopes the motion can be disposed of within the week al-

Washington, July 8.—A Senate battle of historic proportions began today when Republican Leader Knowland of California moved to call up the Administration's civil-rights bill.

The bill was immediately attacked by Senator Ervin (D., N. C.) as the "most drastic and indefensible" legislation ever submitted to Congress.

Southern senators are determined to try to kill it—as they have all other civil-rights legislation in recent years. A filibuster may develop from this effort. In that event, Congress might have to stay in session until mid-September.

The debate just got well under way today when the Senate recessed at 6:31 p.m. until noon tomorrow. Then the battle will resume again.

Galleries Are Filled

Senator Johnson of Texas, the Democratic leader, said he had been informed by Knowland and other supporters of the bill that no other business will be allowed before the Senate until the civil-rights issue is settled.

The only exceptions, Johnson said he was advised, would be measures of "extreme urgency"

Senator Douglas says the Democratic Party could win sweeping victories in Congress were it not for the "Southern incubus." Story on Page 4.

or bills that could be handled by unanimous consent.

The galleries were filled and there were about 50 senators on the floor when the opening guns

a denial of voting rights would be tried by a judge without a reaction which some of its opponents talk about."

A jury would be brought in, he said, only if the presiding judge determined that matters of fact were in dispute. It is quite different from the jury-trial amendment rejected by the House.

O'Mahoney told newsmen his proposal was designed to allay Southern fears that the attorney general could use his power to bring suits for damages as a result of civil-rights violations, thus forcing integration of schools and changing the whole social order of the South.

Morse Serves Notice

Senator Morse (D., Ore.) served notice that if the Senate votes to take up the bill he will move to send it to the Judiciary Committee for two weeks of study and possible revision.

The Senate could spend the two weeks in passing emergency legislation, Morse said.

From the start, Morse has opposed bypassing the Senate Judiciary Committee and bringing the civil-rights bill passed by the House directly to the floor.

But when the bill is returned from the Judiciary Committee, Morse said, he would be "for staying here until the snow flies to pass a fair civil-rights bill."

This meant any member could move to take it up for debate, and it is this motion that was made today by Knowland.

Knowland, who moved to consider the bill at 2:17 p.m., (E.D.T.) told the Senate he hoped for a vote on his motion before the end of the week. He had said previously he would force the Senate into round-the-clock sessions if it became apparent that Southerners were trying to talk the bill to death.

Both Knowland's motion to bring the House-passed bill before the Senate and discussion of the bill itself are subject to unlimited debate. The vote of two thirds of the Senate membership would be necessary to impose a limit on the debate.

Vice-President Nixon, presiding officer of the Senate, was not present for the opening of the battle, but he told reporters in Rochester, N. Y.:

"I believe there is a good chance the Senate will pass a civil-rights bill at this session."

Speaking for the Administration, Nixon said:

"We are not rigid but, generally speaking, we feel the bill in its present form is moderate and would not cause the violent

Senate Opens Rights Battle; South Attacks

Knowland Hopes for Vote On Admitting Bill to Debate Before End of This Week

Columbia Journal
Louisville, Ky. P. 1
Sun. 7-9-57

'Compromise' Offered

The first "compromise" proposal came today from Senator O'Mahoney (D., Wyo.), who said he would offer a novel jury-trial amendment under which most contempt cases involving

Civil Rights Battle In Senate Is Kicked Off By Knowland; Dixie Legislators Attack Bill

FILIBUSTER IS PENDING

**Round-The-Clock Sessions
May Be Asked By
GOP Leader**

By MORRIS CUNNINGHAM

From The Commercial Appeal
Washington Bureau

WASHINGTON, July 8.—Senate Republican Leader William F. Knowland (R., Calif.) kicked off the civil rights fight in the Senate Monday with a motion to take up the House-passed Administration bill.

Dixie senators immediately took to the floor to attack the measure but waited for Senator Knowland's next move before deciding when they will launch an all-out filibuster.

Senator Knowland said he will not move for around-the-clock sessions for the next few days. He said he hopes for a vote on his motion to take up the bill by the end of this week.

Senate Adjourns

The Senate adjourned early Monday night until Tuesday at noon when the Southerners will resume their denunciations. Senator James O. Eastland (D., Miss.) will be one of Tuesday's speakers.

Meanwhile, the White House disclosed that Senator Richard B. Russell (D., Ga.), leader of the Southerners, has telephoned about a meeting with President Eisenhower to discuss the bill. However, James C. Hagerty, press secretary to the President, said no appointment has been scheduled.

The President, who has repeatedly called the Administration bill "moderate," expressed surprise last week at Senator Russell's speech pointing out that it would authorize the use of Federal troops to enforce racial integration at all levels.

The President indicated a wil-

lingness at the time to discuss the bill with Senator Russell or other leading opponents.

Mr. Hagerty said Monday the President has gotten clarifications of certain points in the bill from Atty. Gen. Herbert Brownell. After the clarifications, the President's attitude toward the bill was unchanged, Mr. Hagerty said.

Other Developments

In other developments:

1. Senator Joseph C. O'Mahoney (D., Wyo.) unveiled a trial-by-jury amendment and simultaneously launched a drive for a compromise bill limited to assuring Negroes the right to vote.

His amendment would cover all contempt charges resulting from court injunctions except those that grew out of the refusal of election officials to permit Negroes to vote.

He declared that both sides should be willing to compromise on a bill that would "assure the voting rights of Negroes in every part of the South." He said the bill as it now reads would go much further.

2. Senator Russell called attention to a printing error in the House-passed bill and served notice he will pursue the point further later in the debate.

Senator Knowland conceded the error but insisted that adequate steps have been taken to correct it.

Representative Howard W. Smith (D., Va.), chairman of the House Rules Committee, also raised the question in the House and proposed that the House recall the bill to correct the error.

Speaker Sam Rayburn (D., Texas) asked for time to consider Mr. Smith's motion but later indicated to newsmen he would overrule it. Mr. Smith gave no indication of whether he would appeal the ruling to the House—a rare procedure.

The Senate parliamentarian said it will be up to the Senate to decide by majority vote whether to comply with any House request to return the bill.

Issue Important

The issue could be important to Dixie senators because it might provide them with another opportunity to delay action on the bill.

3. Senator Wayne Morse (D., Ore.) announced that if the Senate votes to take up the bill, he will move to have it sent to the Senate Judiciary Committee

with instructions that the committee return a Civil Rights Bill to the Senate within two weeks.

The Oregon Democrat thus reaffirmed his opposition to the Senate's recent action in bypassing the committee and placing the House-passed bill directly on the Senate calendar.

He said he thought the "committee procedures" of the Senate should be preserved. After the committee returns a bill, he said, "I'm for staying here till the snow flies to pass a fair Civil Rights Bill."

If the Senate approves Senator Knowland's motion and votes to take up the bill, the next step will be actual consideration of the measure.

This also would be subject to unlimited debate, and with amendments in order the situation would be more favorable to a filibuster.

A consideration for the Southerners in deciding where to establish their last line of defense is the fear of alienating senators from other sections by trying to prevent the bill from even coming before the Senate.

"We have made no specific arrangements," Senator Russell told newsmen.

Reasonable Debate

"We will start out with a reasonable debate on the motion to take up the measure," he said, and added:

"We will take no course of action that may alienate our friends who will vote to help us to consider the bill. He insisted this decision should be made speedily and argued that it would be "inappropriate and premature" to debate the merits of the bill at this stage of the

Senate stick with the Civil Rights Bill until it disposes of it. He told newsmen the whole fight might take "about six weeks."

He announced he will not agree to unanimous consent motions to lay aside the Civil Rights Bill temporarily to take up other bills.

Senator Robert S. Kerr (D., Okla.) promptly pointed out that this would block action until some undetermined and unpredictable time on the TVA Self-Financing Bill, the Niagara Power Bill and the Administration's bill to nullify the Supreme Court decision barring FBI files in criminal cases.

Senator Albert Gore (D., Tenn.) and Senator Estes Kefauver (D., Tenn.) arose to deplore especially the side-tracking of the TVA bill.

And Senator Karl E. Mundt (R., S. D.) called the Administration's bill to protect the FBI files "emergency legislation" that should be acted upon before the civil rights fight started.

Senator Irving Ives (R., N. Y.) also urged immediate consideration of the Niagara Power Bill saying that if the Senate does not pass it this session that many industries in upper New York State will be forced to close because of power shortages.

When Senator Knowland refused the pleas, Senate Democratic Leader Lyndon B. Johnson (D., Texas) said the Senate will have to accept the responsibility if the Senate fails to act this session on some of the important pending measures.

Senator Paul H. Douglas (D., Ill.), the Senate's most dedicated civil rightist, spoke immediately after Senator Knowland made his motion.

He said the only issue before the Senate at this point is whether to consider the bill. He insisted this decision should be made speedily and argued that it would be "inappropriate and premature" to debate the merits of the bill at this stage of the

proceedings.

Senator Russell answered with a fiery denunciation of the bill and warned that the South will fight it to the end.

"God give us strength to demean ourselves as men and as our people expect us to," he said.

"Call it a filibuster if you wish," he said, "but if we did not resist, we would not be worthy to be called men."

He said Dixie opponents of the measure have conducted themselves properly during this session of Congress despite their knowledge that the bill was being pushed by the opposition.

He said Southerners resisted suggestions that they drag their feet on other legislation and asserted he would leave it to the Senate to determine "whether or not we demeaned ourselves as men of responsibility and patriotism."

Yet he said that for months now the South has been "the political whipping boy of the nation" and has been subjected to constant attack "like a badgered animal."

He said the nation's "news media" have joined in the assault and also have striven erroneously to portray the Civil Rights Bill as merely applying to Negro voting rights.

Now that the battle finally has been joined, "I refuse to accept responsibility for what ensues," he said, and added: "We did not instigate this issue."

He pointed out again that the bill would authorize the use of the Army and Navy to enforce court decrees directing racial integration in the South.

Senator Sam J. Ervin Jr. (D., N. C.) followed and held the floor during most of the rest of the day.

Addressing himself primarily to the bill's denial of trial by jury and its authority for "government - by - injunction," he called the measure "utterly repugnant to the American Constitution and legal system."

He charged it would give the attorney general "autocratic and despotic powers, which have no counterpart in American history."

Backers End

Advertiser P.1
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Sat. 7-20-57
Rights Bill

Montgomery, Ala.
Measure Faces Vote

**Without Amendment
To Disputed Section**

WASHINGTON, July 19 (AP)—Senate supporters of the civil rights bill today abandoned their efforts to find compromise language for Section 3, the most controversial part of the measure.

Sen. Knowland (R-Calif.), leader of the bipartisan coalition backing the bill, announced he was prepared to allow the Senate to accept the section as it stands or reject it altogether.

There may be a vote on the issue early next week.

Section 3, would empower the attorney general to seek federal court injunctions against violations or threatened violations of civil rights of all kinds. Persons disobeying the injunctions could be charged with contempt of court and tried without a jury.

Southern Democrats fighting the legislation have directed their heaviest fire against this section. They contend it would give the attorney general Caesar-like powers and enable him to force racial integration of the South's public school system.

UNABLE TO AGREE

Republicans and Northern Democrats supporting the bill have been inclined to soften the terms of Section 3 but have been unable to agree on how far to go.

Knowland said he had decided not to offer a modifying amendment he has been working on. Earlier in the day he had told newsmen it would be introduced with or without bipartisan sponsorship. He said tonight he had come to the conclusion that a substitute could not be worked out "to meet the situation and the desires of the various people with whom we have been discussing it."

It was understood the Knowland

amendment would have changed division in the Justice Department, (3) authorize Government court suits to protect civil rights, and (4) provide greater protection for the voting rights of Negroes and other minorities.

Sen. Humphrey (D-Minn) followed Knowland's statement with an announcement that he and other Democratic supporters of the bill would not offer an amendment they had in rough draft.

SAME LINES

The Northern Democratic proposal followed the same lines as Knowland's amendment except that it would have allowed federal intervention upon the request of local authorities or the sworn complaints of private individuals—a big difference.

Knowland said he thought the vote would be "very close" on a pending amendment by Sens. Anderson (D-NM) and Aiken (R-Vt) to strike all of Section 3 from the bill.

If the section is knocked out, he said, fresh efforts might be made to find a substitute. Humphrey agreed that this possibility could not be foreclosed.

But Humphrey added that unless the Democratic and Republican supporters of the legislation can get together on a single amendment they might not offer any.

Knowland and Humphrey are still backing an amendment which would serve to repeal an old law of Reconstruction days authorizing the president to use federal troops to enforce court decrees.

Long Fight Seen Over Civil Rights

WASHINGTON — Senate Republican Leader William F. Knowland predicted that civil rights supporters will win the next round in the Senate's current debate and bring a civil rights bill formally before the chamber.

"There is no question that support for President Eisenhower's four-point program will win a showdown vote," the California legislator said. It is on Knowland's motion for the Senate to take up the House-approved civil rights bill.

The bill would (1) create a bipartisan commission to investigate alleged violations of voting rights, (2) establish a civil rights

division in the Justice Department, (3) authorize Government court suits to protect civil rights, and (4) provide greater protection for the voting rights of Negroes and other minorities.

The civil rights debate, some observers think, may extend to six to eight weeks, or longer, and turn into a filibuster by Southern dead-set against the bill regardless of any compromising amendments.

Rights Supporters Slacken Pressure For Unchanged Bill

Dixie Threat Of Filibuster Fading Away

GOP Leaders Predict Approval Within Two Weeks

(Chicago Tribune Press Service) WASHINGTON, July 18. Pressure to force the House-approved civil rights bill through the Senate unchanged was eased today as the threat of a Southern filibuster faded.

Administration proposals to soften the measure were responsible for the decreased tension. Republican leaders predicted "off the record" that some kind of a civil rights bill would be approved within two weeks—without a filibuster.

Sen. Knowland (Calif), Republican floor leader, who a week ago was talking of holding the Senate in around-the-clock sessions to force action, announced today there would be no Saturday session. His opposite number, Majority Leader Johnson (D-Tex), left to spend the rest of the week at an undisclosed hideaway.

Debate today centered around

the controversial Section 3 of the bill. It would empower the attorney general to seek injunctions and other civil court actions to prevent civil rights violations. Under present law, he can institute criminal proceedings only in such cases.

Repeal of Old Statute

Knowland and Sen. Humphrey (D-Minn) last night introduced an amendment which would repeal an old reconstruction days statute permitting the President to use

the Army and Navy to enforce federal court decrees. Section 3, in effect, re-enacts the reconstruction statute and amends it by providing the additional powers for the attorney general. The Knowland-Humphrey amendment would repeal the part of the old statute which gives the President authority to use troops to enforce federal court decrees. Another pending amendment, by Sens. Anderson (D-NM) and Aiken (R-Vt), would eliminate all of Section 3. Sen. Russell (D-Ga.), bellwether of the Dixie forces, told the Senate he was "grateful" to Knowland and Humphrey, but that their amendment did not "go to the great vices" in Section 3.

"Doesn't Curb Power" "It does not in any way eliminate the sweeping and un-American grant of power to an appointed official to govern by injunction," Russell said. He called it a "force bill of the rawest kind."

Aiken asked if Russell ever heard the song "I Am a Lonely Little Petunia in an Onion Patch." Russell said the ability to sing was not one of his "modest accomplishments."

"The amendment proposed by the senator from California and the senator from Minnesota," said Aiken, "simply undertakes to plant a petunia in an onion patch, or, if we interpret Section 3 correctly, in a patch of poison ivy."

Russell, thereafter, referred to the Knowland-Humphrey proposal as "the petunia amendment."

Sen. Neuberger (D-Ore) said

that if the civil rights bill is "frittered away in compromises and weakening amendments," President Eisenhower should be held responsible. The President has said he would approve of "clarifying" amendments.

Negative Advantage Knowland accused Neuberger of trying to "get a negative political advantage" and asked that attacks on the President cease. Sen. Douglas (D-Ill) yesterday ac-

cepted the section as it stands or reject it altogether. There may be a vote on the issue early next week. Section 3, would empower the attorney general to seek federal court injunctions against violations or threatened violations of civil rights of all kinds. Persons disobeying the injunctions could be charged with contempt of court and tried without a jury. Southern Democrats fighting the legislation have directed their heaviest fire against this section. They contend it would give the attorney general Caesar-like powers and enable him to force racial integration of the South's public school system. Republicans and Northern Democrats supporting the bill have been inclined to soften the terms of Section 3 but have been unable to agree on how far to go. Knowland said he had decided not to offer a modifying amendment he has been working on. Earlier in the day he had told newsmen it would be introduced with or without bipartisan sponsorship. He said tonight he had come to the conclusion that a substitute could not be worked out "to meet the situation and the desires of the various people with whom we have been discussing it."

It was understood the Knowland amendment would have changed Section 3 so that the attorney general could intervene in civil rights cases, other than those involving

Backers End Try To Ease Rights Bill Measure Faces Vote Without Amendment To Disputed Section

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It was understood the Knowland amendment would have changed Section 3 so that the attorney general could intervene in civil rights cases, other than those involving

voting rights, only at the request of local authorities.

Sen. Humphrey (D-Minn) followed Knowland's statement with an announcement that he and other Democratic supporters of the bill would not offer an amendment they had in rough draft.

The Northern Democratic proposal followed the same lines as Knowland's amendment except that it would have allowed federal intervention upon the request of local authorities or the sworn complaints of private individuals—a big difference.

Knowland said he thought the vote would be "very close" on a pending amendment by Sens. Anderson (D-NM) and Aiken (R-Vt) to strike all of Section 3 from the bill.

If the section is knocked out, he said, fresh efforts might be made to find a substitute. Humphrey agreed that this possibility could not be foreclosed.

But Humphrey added that unless the Democratic and Republican supporters of the legislation can get together on a single amendment they might not offer any.

Knowland and Humphrey are still backing an amendment which would serve to repeal an old law of Reconstruction days authorizing the president to use federal troops to enforce court decrees.

Knowland's Offer To Soften 'Rights' Rejected by Dixie

Amendment Isn't Enough, Ervin Insists

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON, July 17 — The Eisenhower administration made afraid of the Southern strength in the civil rights fight in the Senate today.

A Dixie leader, Sen. Ervin (D-NC), promptly retorted it was not enough.

Republican floor leader Knowland, (Calif) proposed an amendment that would strike from Part 3 of the bill any reference to the use of old reconstruction laws which Southerners have argued would permit the use of federal troops to enforce racial integration.

This conciliatory move took on Northern liberal bipartisan flavor when it was supported by Sen. Humphrey (D-Minn).

AIM AT PART 3

However, the Southerners are fighting to strike from the bill the entire Part 3, which would give the attorney general the power to use court injunctions to enforce all manner of civil rights in addition to protecting the right to vote.

Dixie hopes of winning this more acceptable compromise were reversed as the Senate took door open again. This development was quickly followed by a statement from Sen. Humphrey that he did not think the old force laws of the Recon-

struction era should again be brought to bear against the South. This conversion of Humphrey toward at least a partial compromise seemed significant, and probably reflects the efforts of Senate majority leader Johnson (D-Tex) to avoid a bitter North-South explosion within the Democratic party.

SOUTHERN STRENGTH

But Ervin told a reporter the Northern liberals are not now ready to vote on the Anderson-Aiken change and seem to be

afraid of the Southern strength in the civil rights fight in the Senate today.

The North Carolinian said there would be no use adopting Knowland's milder amendment that would still leave Part 3 in the bill and permit the attorney general to be "the supervisor of all the states and their political subdivisions."

The civil rights advocates themselves indeed were stalling on the Anderson-Aiken amendment and gave the strange spectacle of waging a minor filibuster of their own against it.

BOOST BY IKE

The South's roller-coaster hopes for getting a meaningful compromise that would restrict the bill to a protection of voting rights got another boost today from remarks by President Eisenhower at his regular weekly news conference.

Eisenhower, who had seemed to close the door on such a compromise in a statement last night,

reopened it at his regular weekly news conference.

This development was quickly followed by a statement from Sen. Humphrey that he did not think the old force laws of the Recon-

KEFAUVER AMENDMENT

Meanwhile, as the Senate took up the Anderson-Aiken amendment in a spirit of good humor, with no signs of a Southern filibuster developing, Tennessee's liberal Democratic Sen. Kefauver proposed a mild jury trial amendment to the bill.

Kefauver's proposal would permit jury trials in criminal contempt cases but not in civil contempt cases arising out of civil rights actions.

He also proposed another amendment that would make the proposed civil rights commission appointed by the Congress and responsible to the Congress, instead of by and to the President.

But dominating the talk around the Senate—and part of the floor debate itself—were the comments of Eisenhower at his news conference this morning.

In a statement released for him by the White House last night, after the Senate had voted, 71 to 18, to take up the bill, the President opposed any amendment that would permit jury trials in civil rights contempt cases.

REASONABLE PROGRAM

In that statement, Eisenhower also insisted on a bill that would "provide a reasonable program of assistance in efforts to protect

other constitutional rights of our citizens" (aside from merely voting rights).

This was widely interpreted as meaning, indeed as Knowland had said, Eisenhower would oppose striking Part 3 from the bill.

At his news conference today, however, the President said he could not imagine any circumstances which would induce him to send federal troops to enforce civil rights—including school integration—on the South.

He added that he was not seeking any additional authority for the use of troops and said he did not think it would be wise to use such force.

Asked if he would approve an amendment that would remove the bill's injunctive powers except for protecting the right to vote, Eisenhower answered, "I think the right to vote should be emphasized." But he said he would not discuss each amendment in detail as it came up.

In answer to another query, the President said he did not think the attorney general would initiate on his own motion any suits to enforce school desegregation without some request from local authorities.

This seemed to open the way to another possible compromise.

And then, although he said he hopes to get a meaningful civil rights bill that will achieve all of his objectives, Eisenhower went a little further in the moderate tone of his remarks.

TOO FAST

"If you try to go too far, too fast in this delicate field, you are likely to cause trouble," he said. "It is a field in which education should be employed," he added.

It was revealed at the conference that 112 Democratic members of the House, mostly Southerners, have sent him a strong letter, warning against the dangers of using force legislation and denying defendants the right of trial by jury in civil rights cases.

All 10 members of the Georgia House delegation signed the letter along with colleagues from Alabama, Arkansas, Florida, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia, along with a scattering from Western

states.

Eisenhower told newsmen, however, that he hadn't yet read the letter.

When a leading civil rights advocate, Sen. Douglas (D-Ill), learned of Eisenhower's morning comments, he made this caustic comment:

"Very frankly, it leaves us who support the President's program in a very embarrassing position; whenever we rise to defend the administration the rug is pulled out from under our feet."

Douglas suggested that maybe the Senate should debate at length the Anderson-Aiken amendment so that "we may be able to convince the President he should return to his position of yesterday and go back on his disavowal of it this morning."

Merry Go-Round
Herald P. 6-a
Knowland
Sat. 7-13-57
Ready To
Miami Fla.
Delay If --

By DREW PEARSON

WASHINGTON — President Eisenhower blinked when Bill Knowland of California, Senate GOP leader, reported at the last White House



strategy meeting: "The filibuster against civil rights conceivably could keep Congress in session until October. Those Southerners are awfully smart parliamentarians. They know every delaying tactic in the book."

Knowland strongly indicated, however, that he would be ready to discuss a "compromise" to prevent a prolonged filibuster which would tie up appropriation bills and other important legislation.

"But the only compromise I would accept," he added, "would be an assurance from the Democratic leadership that the civil rights measure would be put on the Senate calendar

for debate on a specific date next January."

"In the event of a long filibuster," inquired the President, "what happens to the rest of our program—the school bill, the OTC (extension of reciprocal trade), the postal rate increase and so on?"

"I guess it would have to be put on the shelf until the next session of Congress," replied Knowland.

Eisenhower said he hoped this wouldn't happen. Once again he stressed his hope for action on the school construction bill. Republican leaders nodded without comment.

They consider the school bill virtually a dead duck, not because of the civil rights filibuster, but because of the U. S. Chamber of Commerce.

★ ★ ★

NOT LONG AGO when the House passed the civil rights bill, the President heartily congratulated House GOP leaders Joe Martin and Charlie Hallack. He said it was an excellent measure. But at this week's White House meeting, he seemed to be getting cold feet.

"I'm a little concerned about Section 3 of the bill," he told Republican leaders. "Senator Russell of Georgia has objected that it may open the door to the use of troops. Nobody wants that. I'm sure I don't. I hope the Senate will carefully look over this section and make any changes that may be necessary."

There was a chuckle when Senator Knowland suggested that the President should not let the Senate filibuster interfere with his "vacation plans."

"I'm giving the House some time off during the filibuster," reported the Californian. "Its members will be taking a recess while we are working in the Senate."

"In that case," interposed ex-Speaker Joe Martin, "why don't you come along with us, Mr. President? While the Senate talks, you might as well be carrying on the routine business

of the White House in Newport!" The President happily agreed.

★ ★ ★

EX-SENATOR Bill Benton of Connecticut was surprised, while attending the Truman Library dedication, to see a letter of his framed as one of the library's exhibits.

It was a letter he had written, as a senator, to President Truman stating that his hearings on civil rights had convinced him that the President of the United States had the power to enforce Fair Employment Practices on all government contracts immediately and without the passage of a law by Congress.

Under his now framed letter, Benton noticed a note scribbled in Truman's own handwriting, addressed to Charles Murphy, the White House counsel, which said: "Please prepare an order to carry this out. HST."

Next to the letter was an explanatory note by the Truman librarian explaining that this illustrated the manner in which presidential orders sometimes originated.

It was the first time Senator Benton had known that he originated enforcement of Fair Employment Practices on government contracts.

Knowland Moves To Delete Rights Bill Troop Threat

Rider Bows To Protests From Dixie

Would Repeal Statute Giving President Force Power

(Chicago Tribune Press Service)

WASHINGTON, July 17. The Eisenhower administration bowed to Southern protests today and moved to amend its civil rights bill to ban the use of the Army and Navy in enforcing federal court decrees.

This action was proposed by Sen. Knowland (R-Calif), floor leader of the civil rights forces in the Senate. His amendment would repeal a reconstruction era statute giving the President the power to use federal troops.

The House-approved civil rights bill, now before the Senate, incorporated the old statute by reference, and Southern opponents of the measure have claimed it would permit the President to send troops into the South to force racial integration in public schools.

Knowland had been telling reporters for a week the administration would not "compromise" out might propose "clarifying" amendments to Section 3 of the bill which empowers the attorney general to seek injunctions and other civil court actions to prevent civil rights violations.

Just for Troops

The Knowland amendment would not alter the attorney general's authority. It would only bar the use of troops to enforce injunctions.

Earlier today, President Eisenhower had told his press conference he could not imagine cir-

cumstances that would induce him to use troops.

The Senate had started debate on an amendment by Sens. Anderson (D-NM) and Aiken (R-Vt) to eliminate all of Section 3, leaving the attorney general authority to seek civil injunctions in right to vote cases and sections creating a presidential civil rights commission and a civil rights division in the Justice Department.

The President's conciliatory attitude and Knowland's talk of clarifying amendments had led Sen. Douglas (D-Ill) earlier in the day to charge in Senate debate the President had "pulled the rug" from under civil rights backers.

Supported by Humphrey

But Sen. Humphrey (D-Minn), usually as ardent as Douglas in supporting civil rights bills, said there was "no point in rubbing salt into the South's wounds." Humphrey joined Knowland in sponsoring the "no troops" amendment.

Sen. Javits (R-NY) defended Section 3 as "essential" in preventing mobs from halting school boards' integration plans. The former New York attorney general said it even could be used

to bring about integration in areas where local officials "drag their feet." Sen. Dirksen (R-Ill), a sponsor of civil rights legislation, has contended the only way the section would be used in school cases would be to back up Southern school boards which have taken voluntary steps to integrate the races, in accordance with the 1954 Supreme Court decision.

Asked to comment on the Southerners' fears, Eisenhower said: "I can't imagine any set of circumstances that could ever induce me to send federal troops into any area to enforce the orders of a federal court because I believe that common sense of Americans will never require it. . . . certainly, I am not seeking any additional authority of that kind."

At another point, the President said he believed that "if you try to go too far too fast in laws in-

this delicate field that has involved the emotions of so many millions of Americans, you are making a mistake."

The President said he was not going to say while the Senate was debating the bill what he would accept or reject. He said he was hopeful of receiving from Congress a "reasonable and acceptable" civil rights bill.

Anderson, opening Senate debate on his amendment, said Section 3 of the bill was a "dubious proposal" and that attempts to "doctor" it might result in even more confusion. He said the bill should be what it was originally intended to be, a measure to protect voting rights.

Aiken said that his experience as governor of Vermont taught him the danger of "federal encroachment" and that he opposed the sweeping power proposed in Section 3.

Careful Legislation

"We should enact legislation as if it were to be administered by our enemies," the Vermonter declared. "And even a Republican president could make mistakes."

Knowland spoke to reporters after a conference of Republican senators at which, he said, suggestions were made to eliminate the reference to the Reconstruction days authority in the bill. He would not say whether he favored the proposal, other than to suggest "clarifying" amendments might be accepted.

"But if the South is worried about the Reconstruction authority to use federal troops, I'm in favor of repealing the old laws," Knowland said.

Douglas, debating the Anderson-Aiken amendment, said the proposal should be debated "several days to convince the President he should go back to his original position"—favoring the civil rights bill in the form it was approved by the House.

That brought a taunt from Sen. Russell (D-Ga), leader of Southern bloc, that "an Illinois filibuster" was threatened.

'Crippling' Rights Bill Laid To Ike 2 Oregon Senators

Say Recent Remarks Weakening Chances

By WILMOT HERCHER

WASHINGTON, July 18 (AP)—Sen. Neuberger (D-Ore) accused President Eisenhower today of showing "a lack of knowledge and a lack of enthusiasm" for the civil rights bill now being fought over in the Senate.

If the legislation "is frittered away in compromises and weakening amendments," Neuberger declared, the President would be to blame.

Sen. Knowland of California, Republican leader, defended the President, saying nothing was to be gained by "partisan attacks."

It was the second day in a row that Northern Democrats supporting the bill have criticized Eisenhower's attitude.

The criticism came as sentiment appeared to be mounting in the Senate to limit the terms of the bill to the protection of voting rights. This could reduce to some extent the hard core of Southern Democratic opposition.

LEADER IN FIGHT

Knowland, a leader in the fight for civil rights legislation, already is sponsoring one change in the pending bill. Without going into details, he told newsmen today that undoubtedly other "clarifying" amendments would be offered.

Neuberger told the Senate that Eisenhower "has made infinitely more difficult the task of those who have hoped, earnestly and sincerely, that at last we were to see meaningful and effective civil rights legislation enacted."

Sen. Morse (D-Ore) supported Neuberger with an assertion that some of Eisenhower's recent comments on civil rights were conflicting and meaningless. He didn't elaborate.

COURT INJUNCTIONS

Knowland declared the responsibility for getting the bill through rested with the Senate and Con-

gress, not the President.

The bill, as it now stands, would permit the attorney general to take the initiative in seeking federal court injunctions to prevent violation of civil rights.

In the case of school integration at least, Eisenhower indicated he would favor action by the attorney general only upon "request from local authorities."

Knowland said he expected the Senate to start voting Monday on the highly controversial Section 3 of the bill, which would empower the attorney general to seek injunctions for the protection of a broad field of civil rights.

AMENDMENT OFFERED

An amendment has been offered by Sens. Anderson (D-NM) and Aiken (R-Vt) to strike out this whole section. If adopted, this change would confine the new authority proposed for the attorney general to the protection of voting rights.

Knowland and Sen. Humphrey (D-Minn) teamed up yesterday to offer an amendment designed to meet Southern objections that school integration might be enforced at bayonet point.

The amendment would repeal an old law of the Reconstruction Act authorizing the use of troops to enforce court decrees.

OLD LAW

The Southern senators had protested that because of the way Section 3 of the bill was drafted the old law could be invoked to carry out the Supreme Court's decision against public school segregation.

Sen. Russell (D-Ga) argued today the bill would remain "a force bill of the rawest kind" even if the authority to use troops were wiped out. Russell is the floor leader of the Southern opposition.

He told the Senate that enactment of the legislation with only that one change "would work irreparable injury to the white and Negro citizens of the South."

The amendment by Knowland and Humphrey was made the pending business of the Senate today.

Knowland Says Ike Knows Rights Fight To Tie Up Other Legislation

By EDWIN B. HAAKINSON

WASHINGTON, July 6 (AP)—Sen. Knowland (R-Calif.) said today President Eisenhower realizes that an upcoming battle over a civil rights bill may tie up Senate action on all administration legislative requests for eight weeks or longer.

"He is familiar with all eventualities," Knowland, Republican Senate leader said in an interview that indicated this had been discussed at the White House.

Knowland has served notice that on Monday he will ask the Senate to take up the administration civil rights bill, recently passed by the House.

Sen. Russell (D-Ga.), floor leader of determined "Southerners" fighting the bill, has promised exhaustive debate although any actual filibuster may be delayed until after a Senate vote on the move to take up the controversial measure.

Russell already has told the Senate that the House-approved measure could cause "unreasonable confusion, bitterness, and bloodshed."

He has promised a long floor fight aimed at amending and rewriting the measure, with an eventual goal of killing it.

Knowland said ahead of time that he is unwilling to put the controversy aside to act upon other noncontroversial measures which the President has asked.

Some legislative measures do have priority, such as compromises of bills that the Senate and House had previously passed in different form, or annual money bills.

Once these are called up, Knowland noted that they also come under the Senate rules for virtually endless debate and can be used as an indirect filibuster against resuming debate on civil rights.

Knowland said he now expects the civil rights dispute to continue "until about September first."

"There should be quite a bit of legislation to consider even after civil rights is decided," Knowland said. "We probably may



SEN. KNOWLAND
Pushes Civil Rights Bill

have to stay in session until mid-September."

Knowland mentioned the Eisenhower-backed bills for federal school aid and immigration revision as just two examples, adding that there are many more.

These are the foreign aid authorization and its separate money bill, several annual appropriations, a proposed natural gas bill, postal rate increases and numerous others requested by the President earlier this year.

"There is no real reason to adjourn this session early," Knowland said. "We have no general election this time."

On the other hand, Sen. Mundt (R-SD) predicted a compromise would be reached, permitting adjournment by mid-August.

Mundt said he expects a compromise guaranteeing the right of Negroes and other minority group members to vote without harassment. He said this would be a compromise "for which the South can't vote, but one with which the south can live."

The House bill — which Mundt said would not "be rammed down the throats of Southerners by relentless or roughshod methods" — would do these things:



SEN. RUSSELL
Leads Opponents

Empower the federal attorney general to get injunctions to protect citizens whose civil rights — including voting rights — have been violated or threatened; set up a federal commission to investigate complaints of civil rights violations; create a special civil rights division in the Justice Department.

Knowland Sees 8-Week Rights Fight

Post & Times Herald P. 1
Knowland Sees 8-Week Rights Fight
Jun. 7-7-57
Knowland Sees 8-Week Rights Fight
Washington D.C.
Knowland Sees 8-Week Rights Fight

By Edwin B. Haakinson
Associated Press

Sen. William F. Knowland (R-Calif.) said yesterday that President Eisenhower real-

izes an upcoming battle over a civil rights bill may tie up Senate action on all administration legislative requests for eight weeks or longer.

"He is familiar with all eventualities," the Republican Senate leader said in an interview that indicated this had been discussed at the White House.

Knowland has served notice that on Monday he will ask the Senate to take up the administration civil rights bill, recently passed by the House.

Sen. Richard B. Russell (D-Ga.), floor leader of Southerners fighting the bill, has prom-

"There is no real reason to adjourn this session early," Knowland said. "We have no general election this time."

On the other hand, Sen. Karl Mundt (R-S. D.) predicted a compromise would be reached, permitting adjournment by the middle of August.

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Sen. Clifford Case (R-N. J.) contended in a statement that civil rights opponents are talking about "compromising it before debate begins in the Senate."

"This is wishful thinking," Case said. "Most of us in the Senate feel the bill is moderate and modest . . . Basically, the legislation assures all Americans the right-to-vote, a right which should have been theirs long ago."

Knowland said he is unwilling to put the controversy aside to act upon other noncontroversial measures which the President has asked.

Some legislative measures do have priority, such as compromises of bills that the Senate and House had passed in different form, or annual money bills.

Once these are called up, Knowland noted, they also come under the Senate rules for virtually endless debate and can be used as an indirect filibuster against resuming debate on civil rights. He said he now expects the civil rights dispute to continue "until September 1."

"There should be quite a bit of legislation to consider even after civil rights is decided," Knowland said. "We probably may have to stay in session until mid-September."

Knowland Plans Endurance Move To Beat Southerners

World P. 1
Sat. 7-6-57
Knowland Plans Endurance Move To Beat Southerners
B'ham Ala.

WASHINGTON, D. C. — (NN-PA) — Senator William F. Knowland, of California, the Republican Senate leader, indicated Tuesday that he plans a physical endurance contest between Dixiecrats and a coalition of Republicans and northern Democrats over the Eisenhower Administration's civil rights bill.

After Republican Congressional leaders had conferred with President Eisenhower at the White House that he would move within a day or two after July 8 to bring the civil rights issue before the Senate.

His motion to take up the bill, he said, will result in several weeks or months of discussion.

TO PREVENT VOTE

The filibuster by the Dixiecrats will be designed to prevent a vote on the motion to consider the bill.

"What effect will civil rights have on adjournment?" a reporter asked.

Knowland replied. "It will prolong adjournment," Knowland replied. "We're not setting any adjournment date because, if you do, you make an ideal spot to filibuster against."

Knowland added that the House may want to recess so its members can go home for a time after the Senate gets into a filibuster.

Once the Senate gets into a filibuster, he said, he imagined the talkathon would continue for several weeks or months.

COMPROMISE

"Is it true that some sort of compromise deal is being worked out by leaders on both sides?" a reporter asked.

"I know of no proposal that has been presented by anybody that would be the subject of an agreement," Knowland replied.

The debate, he said, could develop some formula that would be acceptable.

"Generally speaking," he added, "I have been in support of the legislation that has been offered." Knowland mentioned the amendment that Senator Thomas C. Hennings, of Missouri, chairman of the Constitutional Rights subcom-

Committee of the Senate Judiciary were Sens. Estes Kefauver (D) Tennessee, John Marshall Butler (R) to offer in the Judiciary Committee. Md., Roman L. Hruska (R) Neb., Hennings and Dirksen.

The Hennings amendment would require jury trials in contempt of court cases arising under the provisions of the civil rights bill, but not in cases where the contempt occurred in the presence of the judge or so near to the court as to interfere directly with the administration of justice.

Knowland Sees Full-Scale Filibuster By Southerners

BY ROSE MCKEE

WASHINGTON — (INS) — Senate GOP leader William F. Knowland, Calif., said Monday that the House-passed Civil Rights Bill will be called up for Senate debate July 8 — an action virtually certain to touch off a full-scale filibuster.

Senate Democratic leader Lyndon B. Johnson, Texas, previously said the controversial bill will not be called up before July 8 but Knowland was the first to give a specific date.

Knowland's announcement indicated that the Senate will be tied up throughout most of July in a talkathon by Southern Senators against the legislation. The question of whether proponents can break the filibuster by a vote of 64 Senators to apply a "gag" is the subject of wide back-stage arguement.

Sen. Everett M. Dirksen (R) Ill., told reporters that he opposed laying aside the legislation. He explained that when debate on the House-passed civil rights program breaks out on the floor, opponents will argue that the Judiciary Committee "is still working" on a bill and Senate action thus would be premature.

He said he hoped the legislation can be approved by the committee to forestall such arguments.

HOUSE BILL

Sen. Thomas C. Hennings (D) Mo., said that the fact that the Senate over-rode Southern opposition and put the House bill on its calendar does not justify the committee in dodging a decision of its own.

He declared in a statement: "I do not think the committee members should crawl out the back door and leave this important business suspended in mid-air."

Voting for the motion to lay the civil rights bill temporarily were Sens. James O. Eastland (D) Mississippi, John McClellan (D) Ark., Olin D. Johnston (D) S. C., Joseph C. O'Mahoney (D) Wyo., Sam J. Ervin (D) N. C., Alexander Wiley (R) Wis., and Arthur V. Watkins (R) Utah.

Opposed to any further delay

bill if possible, but to defeat it in any event," Russell declared.

Knowland made it clear he would oppose any broad provision requiring jury trials in all cases growing out of the law. But he said he would consider a narrow application of this principle, if an amendment can be worked out.

The bill given the right of way was one by Watkins to transfer jurisdiction over anti-trust violations in the meat packing industry to the Agriculture Department and to the Federal Trade Commission.

Knowland Sees Rights Fight In Round-Clock Sessions

WASHINGTON, July 5 (AP) — Round-the-clock sessions of the Senate may be started late next week if a filibuster develops against the administration's civil rights bill, Sen. Knowland (R-Calif.) said today.

Knowland, the Senate's Republican leader, announced he will move on Monday to take up the controversial legislation, which has been passed by the House.

He said he hopes to get a vote on his motion by the end of the week, whereupon the Southern opposition would open a full-scale attack on the civil rights measure.

Knowland estimated the Senate will have to stay in session until mid-September to settle the civil rights issue one way or the other and then deal with the rest of the legislative calendar.

The leader of the Southern opposition, Sen. Russell (D-Ga.), has said his bloc does not plan unusually long speeches against Knowland's motion, at least at the outset. Russell and other Southern senators are in a bargaining mood at the present stage of proceedings.

Knowland has said he is not slamming the door on any amendments to soften the civil rights bill, a measure which Russell has called "vicious" and which he has predicted "will cause unspeakable confusion, bitterness and bloodshed" in the South if passed.

"My intention is to amend this

bill if possible, but to defeat it in any event," Russell declared.

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Ready To Vote Tuesday

Senator Knowland also told newsmen there apparently has been "some cooling off" in the willingness of supporters of the jury trial amendment to bring the issue to an early vote.

Predicting victory for the bill's supporters, he said he was prepared to vote Tuesday. Any delay forced by the other side, he said, may indicate they feel they need more time to try to round up additional votes.

At least some backers of the broadened jury trial amendment were reported hoping it would appeal to labor union leaders and, in general, to many people often designated as liberals. It would guarantee jury trials in all criminal contempt of court cases, including those growing out of labor disputes as well as civil rights cases.

Senator Richard Russell (D., Ga.), leader of the bill's Southern opponents, was asked if he were willing to vote Tuesday on the jury trial amendment. "I can't say that I am," he replied.

'Much As We Can Get'

He said he would have to discuss the matter with other senators before he would agree to a vote then. He said Senator Knowland had not consulted him about it. Nor, he said, had Senator Knowland taken it up with Senate Democratic Leader Lyndon B. Johnson of Texas so far as he knew.

Senator Russell said he was supporting the latest jury trial amendment, offered by Senators Joseph O'Mahoney (D., Wyo.), Estes Kefauver (D., Tenn.) and Frank Church (D., Idaho), because he believed it was "as much as we have any hopes of getting."

"I think it will be a very close vote," he said.

Senator O'Mahoney said, "I think we'll win," although he said he was aware that Senator Knowland is reported to have claimed he had at least 34 GOP votes lined up against the amendment. There are 95 senators.

Poll Shows 37 For It

(A United Press poll showed 37 senators favoring the amendment and one leaning that way, compared with 29 opposed and four inclined to oppose it. Eight of those contacted said they were undecided or would not tell how they expected to vote.)

"The right to trial by jury is just as essential to the colored citizens as it is to any other citizen," Senator O'Mahoney said. "You can't cut the corners of the Constitution and expect to maintain free government."

He confirmed a report that

former Secretary of State Dean Acheson and Benjamin V. Cohen, a one-time "braintruster" in the Roosevelt Administration, were consulted in the draft of the amendment, "just as others were."

Senator O'Mahoney said he consulted Mr. Acheson and Mr. Cohen "not only in their capacity as lawyers but in their capacity as liberals who want to preserve free government."

The pending Civil Rights Bill would authorize the attorney general to obtain Federal court injunctions against violations or threatened violations of voting rights.

One Part Eliminated

Persons accused of disobeying an injunction could be jailed for contempt of court without a jury trial.

Another section of the bill providing identical injunctive procedures for the enforcement of civil rights generally, including racial integration in schools and other public places, was eliminated by the Senate by a 52-38 vote.

Senator O'Mahoney's latest amendment provides for jury trials in criminal contempt proceedings of all types — whether they involve civil rights, labor disputes or anything else.

Criminal contempt proceedings are designed to punish a person for willful disobedience of an injunction or other court order. Maximum penalty under the amendment would be a \$1,000 fine or six months in jail. No jury trial is provided for in civil contempt proceedings aimed at securing compliance with a court order. In these cases, a person could be jailed by a judge but he could purge himself and go free whenever he agreed to comply.

WASHINGTON, July 27. — (AP) — Fourteen law school deans, 34 law professors, and 50 attorneys joined Saturday in opposing inclusion of a jury trial provision in the Civil Rights Bill. They said absence of such an amendment would not violate due process of law.

The group endorsed a statement signed by Deans Jefferson B. Fordham, William C. Warren and Eugene V. Rostow, respectively, of the Pennsylvania, Columbia and Yale University Law Schools. The statement was made public by the American Civil Liberties Union.

"While we fully support trial by jury in its proper sphere," the statement said, "we fear that its unnecessary injection into this (civil rights) legislation will only hamper and delay the

Backers Drop Efforts To Soften Main Part Of Civil-Rights Bill

Can't Agree On Proposed Compromise

By The Associated Press

Washington, July 19.—Senate supporters of the civil-rights bill today abandoned their efforts to find compromise language for Section 3, the most controversial part of the measure.

Senator Knowland (R., Cal.), leader of the bipartisan coalition backing the bill, announced he was prepared to allow the Senate to accept the section as it stands or reject it altogether.

There may be a vote on the issue early next week.

Section 3 would empower the attorney general to seek Federal Court injunctions against violations or threatened violations of civil rights of all kinds. Persons disobeying the injunctions could be charged with contempt of court and tried without a jury.

Target of Heaviest Fire

Southern Democrats fighting the legislation have directed their heaviest fire against this section. They contend it would give the attorney general Caesar-like powers and enable him to force racial integration of the South's public-school system.

Republicans and Northern Democrats supporting the bill have been inclined to soften the

The Government "has not made any case at all," the defense said as it rested in the 10th Circuit Court of Appeals in Clinton, Tenn., segregated. Story on Page 2.

Section 3, but have not agreed on how far

to go.

Knowland said he had decided not to offer a modifying amendment he has been working on. Earlier in the day he had told newsmen it would be introduced with or without bipartisan sponsorship.

He said tonight he had come to the conclusion that a substitute could not be worked out "to meet the situation and the desires of the various people with whom we have been discussing it."

Close Vote Predicted

It was understood the Knowland amendment would have changed Section 3 so that the attorney general could intervene in civil-rights cases, other than those involving voting rights, only at the request of local authorities.

Senator Humphrey (D., Minn.) followed Knowland's statement with an announcement that he and other Democratic supporters of the bill would not offer an amendment they had in rough draft.

The Northern Democratic proposal followed the same lines as Knowland's amendment, except that it would have allowed federal intervention upon the request of local authorities or the sworn complaints of private individuals—a big difference.

Knowland said he thought the vote would be very close on a pending amendment by Senators Anderson (D., N. M.) and Aiken (R., Vt.) to strike all of Section 3 from the bill.

'Watch Our Smoke'

If the section is knocked out, he said, fresh efforts might be made to find a substitute. Humphrey agreed that this possibility could not be foreclosed.

But Humphrey added that unless the Democratic and Republican supporters of the legisla-

tion can get together on a single amendment, they might not offer any.

Senator Douglas (D., Ill.), who favors the bill in the form it came from the House, was optimistic that the Anderson-Aiken amendment could be defeated. "Watch our smoke," he said. The Senate recessed at 4:51 p.m. until noon Monday.

New Amendment Offered

Shortly before the recess, Senator Watkins (R., Utah) offered an amendment that would permit the attorney general to act on his own motion in all civil-rights cases except those involving racial integration. In the latter type of cases, the attorney general could act only at the request of State or local authorities.

Watkins said the effect of the amendment would be to require the attorney general to keep "hands off" the problem of integration in the schools and other public places, such as parks and beaches, unless local authorities asked for help.

The Utah senator added he had tried to draft "something the Southerners can live with."

Knowland Dislikes Both

Knowland told reporters that neither the Watkins nor the Humphrey amendment was satisfactory to him. He said he had grave doubts about the constitutionality of Humphrey's proposal.

Knowland and Humphrey are still backing an amendment that would serve to repeal an old law of Reconstruction days authorizing the president to use federal troops to enforce court decrees.

Knowland said there might be a vote on this Monday, with a vote Monday or Tuesday on the Anderson-Aiken proposal to strike.

Daylong negotiations pre-

ceded the decision to abandon a compromise offer on Section 3 at this time.

Closed Meeting Held

The proposed changes were discussed at a closed meeting of all 46 G.O.P. senators. Senator Aiken, who wants a major change in the bill to limit its enforcement powers largely to voting rights, left the meeting early. Obviously irritated, he told newsmen:

"Some of these people don't want a civil-rights bill. They want a campaign issue for 1958 and 1960."

Declining to say what happened at the meeting, Aiken said he has got the impression elsewhere that some supporters of the bill want "a vast grant of power for the attorney general and the judiciary that goes far beyond the needs of a civil-rights bill."

Humphrey Sets Limit

The Vermonter said he doesn't want "government by injunction."

"They can get a good civil-rights bill to protect voting privileges by the middle of next week if they want it," he added.

At the same time, Humphrey made it plain that there is a limit to the changes he will accept in the legislation.

Humphrey called for a clear-cut statement on how President Eisenhower stands on the bill, which was passed by the House June 18. For the past three days Northern Democrats have been complaining that Eisenhower appears to be shifting his ground.

"One of the first places we need to get some agreement is on where the White House stands," Humphrey told reporters.

How Senate Might Vote On Cloture

By ETHEL PAYNE

WASHINGTON — If the civil rights battle leads to a vote on cloture, and it looks at this point that such may happen, a forecast

of how the vote will line up shows a good chance of mustering the necessary 64 votes to win.

Proponents of the Administration bill have been reluctant to press for cloture, for fear of defeat, and Sen. William F. Knowland, the Republican leader has favored letting the opposition wear itself down and then try for a simple majority vote on the bill.

However, the prospects are imminently brighter for a successful cloture for the first time. Under Rule 22 of the Senate, there is required a two thirds majority of the entire Senate membership in order to cut off debate.

In the past, the South has been able to defeat this by a coalition with northern Republicans, but this year, that old alignment was broken on June 20 when the GOP left the South and teamed up with liberal northern Democrats to defeat the Dixiecrats on two important procedural votes.

Here is a cautious run down of the Senate. Of the possibles listed, Sens. Kennedy and Morse have already committed themselves to vote for cloture.

Sen. Matthew Neeley of West Virginia has suffered a relapse in his long illness and will probably be unable to attend and vote.

Some of the possibles in the June 20 vote were absent, but paired with other Senators indicating that had they been present, they would have voted with the civil rights advocates.

Sen. William Langer (R. N. D.) who has been absent due to illness, has returned and indicated that he will vote for cloture, so there is a gain here in the "expected to support" column.

Among the "possibles," the prospects are good for Magnuson, Murray, and Green.

In the third category of the "special party or other appeal," there are strong doubts about Mansfield, O'Mahoney, Monroney, Gore, Bridges, Williams and Goldwater.

O'Mahoney is sold on compromise so much so that he has already introduced his jury trial amendment. The reason for his change from a previously liberal position is not clearly known, but the best guess is that he has formed a practical alliance with the

Southern faction, and would like to go down in history as another great compromiser such as Henry Clay.

Before the showdown comes, Knowland may be able to swing the GOP hesitants over to the yes column. He has enormous influence with conservatives of the party.

EXPECTED TO SUPPORT (45)

DEMOCRATS — Carroll, Colo.; Church, Idaho; Clark, Pa.; Douglas, Ill.; Hennings, Mo.; Humphrey, Minn.; Jackson, Wash.; McClellan, Mich.; Symington, Mo.; Neuberger, Ore.; Pastore, R. I.

REPUBLICANS — Aiken, Vt.;

Allott, Colo.; Barrett, Wyo.; Beall, Md.; Bricker, Ohio; Bush, Conn.; Bennett, Utah; Butler, Md.; Carlisle, N. J.; Case, N. J.; Case, S. D.; Cooper, Ky.; Cotton, N. H.; Curtis, Neb.; Dirksen, Ill.; Dworshak, Idaho; Hickenlooper, Iowa; Hruska, Neb.; Ives, N. Y.; Javits, N. Y.; Jenner, Ind.; Knowland, Calif.; Kuchel, Calif.; Martin, Pa.; Morton, Ky.; Potter, Mich.; Purcell, Conn.; Revercomb, Va.; Saltonstall, Mass.; Schoeppel, Kans.; Smith, Maine; Thye, Minn.; Watkins, Utah and Wiley, Wisc.

POSSIBLE (15)
DEMOCRATS — Anderson, N. M.; Chavez, N. M.; Kefauver, Tenn.; Kennedy, Mass.; Lausche, Ohio; Magnuson, Wash.; Morse, Ore.; Murray, Mont.; Green, R. I.; Neeley, W. Va.

REPUBLICANS — Capehart, Ind.; Flanders, Vt.; Martin, Iowa; Payne, Maine and Smith, N. J.

SPECIAL PARTY OR OTHER APPEAL (9)
DEMOCRATS — Mansfield, Mont.; O'Mahoney, Wyo.; Frear, Del.; Monroney, Okla.; Core, Tenn.

REPUBLICANS — Bridges, N. H.; Williams, Dela.; Goldwater, Ariz. and Mundt, S. Dak.

Civil Rights Bill's Supporters Abandon Compromise Efforts

Raleigh, N.C.
WASHINGTON, July 19 (AP) — Senate supporters of the civil rights bill today abandoned their efforts to find compromise language for Section 3, the most controversial part of the measure.

Sen. Knowland (R-Calif.), leader of the bipartisan coalition backing the bill, announced he was prepared to allow the Senate to accept the section as it stands or reject it altogether.

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Section Three.

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Southern Democrats fighting the legislation have directed their heaviest fire against this section. They contend it would give the attorney general Caesar-like powers and enable him to force racial integration of the South's public school system.

Republicans and Northern Democrats supporting the bill have been inclined to soften the terms of Section 3 but have been unable to agree on how far to go.

Knowland said he had decided not to offer a modifying amendment he has been working on. Earlier in the day he had told newsmen it would be introduced with or without bipartisan sponsorship. He said tonight he had come to the conclusion that a substitute could not be worked out to meet the situation and the desires of the various people with whom we have been discussing it.

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Same Lines.

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plaints of private individuals—a big difference.

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If the section is knocked out, he said, fresh efforts might be made to find a substitute. Humphrey agreed that this possibility could not be foreclosed.

Here's How Senators Voted To Take Up Civil-Rights Bill

Washington, July 16 (AP) — Here is the 71-to-18 vote by which the Senate adopted today a motion by Senator Knowland (R., Cal.) to take up the civil-rights bill:

For the motion (71):

Democrats for:

Anderson of N. M.; Bible of Nev.; Carroll of Cal.; Chavez of N. M.; Church of Idaho.

Douglas of Ill.; Frear of Del.; Gore of Tenn.; Green of R. I.; Hayden of Ariz.

Humphrey of Minn.; Jackson of Wash.; Johnson of Texas; Kefauver of Tenn.; Kennedy of Mass.

Kerr of Okla.; Lausche of Ohio; Magnuson of Wash.; Mansfield of Mont.; McNamara of Mich.

Monroney of Okla.; Morse of Ore.; Murray of Mont.; Neely of W. Va.; Neuberger of Ore.

O'Mahoney of Wyo.; Pastore of R. I.; Symington of Mo.; Yarborough of Texas (29).

Republicans for:

Aiken of Vt.; Allott of Cal.; Barrett of Wyo.; Beall of Md.; Bennett of Utah; Bricker of Ohio; Bush of Conn.; Butler of Md.; Capehart of Ind.; Carlson of Kan.

Case of N. J.; Case of S. D.; Cooper of Ky.; Cotton of N. H.; Curtis of Neb.

Dirksen of Ill.; Dworshak of Idaho; Flanders of Vt.; Goldwater of Ariz.; Hickenlooper of Iowa.

Hruska of Neb.; Ives of N. Y.; Javits of N. Y.; Jenner of Ind.; Knowland of Cal.

Kuchel of Cal.; Langer of N. D.; Malone of Nev.; Martin of Iowa; Martin of Pa.

Morton of Ky.; Mundt of S. D.; Potter of Mich.; Purtell of Conn.; Revercomb of W. Va.

Saltonstall of Mass.; Smith of Maine; Smith of N. J.; Thye of Minn.; Watkins of Utah.

Wiley of Wis.; Williams of Del. (42).

Against the motion (18):

Democrats against:

Byrd of Va.; Eastland of Miss.; Ellender of La.; Ervin of N. C.; Fulbright of Ark.

Hill of Ala.; Holland of Fla.; Johnston of S. C.; Long of La.; McClellan of Ark.

Robertson of Va.; Russell of Ga.; Scott of N. C.; Smathers of Fla.; Sparkman of Ala.

Stennis of Miss.; Talmadge of Ga.; Thurmond of S. C. (18).

Republicans against—none.

Not voting or paired, but announced as in favor of the motion: Clark (D., Pa.), Hennings (D., Mo.), Payne (R., Me.) and Schoeppel (R., Kan.).

The two senators with no announced position were: Bridges (R., N. H.) and Young (R., N. D.).

Californian Says Amendment Would

"Emasculate" Bill

By ROSE McKEE

WASHINGTON — (INS) —

Senate GOP leader William F. Knowland declared Thursday he will wage an all-out fight against any jury trial amendment to President Eisenhower's Civil Rights Bill.

The Californian charged that such an amendment would "emasculate" the major provisions of the bill which would permit a federal court order against anyone interfering with an individual's right to vote.

NO RETREAT

Knowland announced his "no retreat" position as the Senate began debate on what is probably the big conflict in the legislative battle. The issue found Knowland and Senate Democratic leader Lyndon B. Johnson sharply at odds.

Johnson, taking an active role in support of a jury trial guarantee where criminal contempt is involved, predicted that the Senate by "a substantial majority will insist" on such a protection for an accused person.

FINAL VOTE

He added that a final vote on the bill "could easily" be reached within two weeks.

Knowland said he thinks there is a "good chance" of defeating the amendment. He conceded that if Southerners lose the jury trial fight, he believes a filibuster would ensue against final passage of the measure already approved by the House. He said that if the bill is

an "effective one" when it comes up to the final showdown "then I think there still will be substantial attempts to prevent its passage."

A number of jury trial amendments have been drafted but the one now being weighed by the Senate was proposed by Sen. Joseph C. O'Mahoney (D) Wyo., and, significantly, called up for action by Johnson. It would provide a jury trial in criminal but not in civil contempt cases involving voting-right violations.

CIVIL CONTEMPT

O'Mahoney explained that in a civil contempt case, where someone refused to carry out a court order, a judge could jail or fine him but he could be released or get his money back upon posting bond that he would comply with court orders.

Criminal contempt, O'Mahoney said, would occur "where someone wilfully disobeys a court order and at the same time violates a federal or state law." In this case he said, a person could be fined or jailed only after a jury trial.

This week's contempt conviction of segregationist John Kasper and six co-defendants by an all-white Knoxville, Tenn., jury provided ammunition to those advocating that the jury trial amendment be written into the administration bill.

SOUTHERN JURIES

Johnson, in a Senate speech, referred to the arguments of strong civil rights supporters that Southern juries would not return a guilty verdict in racial discrimination cases. He said it was not true but if it were, "The appropriate course would be to re-examine our whole jury system."

The Texan also differed with Knowland on the prospects of a filibuster. Johnson told reporters that the Senate will approve a jury trial amendment and vote on the bill "without beds being brought in here and without any wrestling on the Senate floor." He said he expects no unusually late or round-the-clock sessions.

Letters to The Times

To Protect Civil Rights

James P. B.C.
Elimination of Jury Trials in Bill

Seen as Effective Legal Remedy

Jri. 7-26-57

The writer of the following letter is a former Justice of the Municipal Court. *New York*

TO THE EDITOR OF THE NEW YORK TIMES:

Women won the right to vote less than forty years ago. Negroes were luckier; they won it almost sixty years earlier. But once won nobody opposed women's exercising

No, this is no situation that calls for jury trials. On the contrary, they have become only too often a tragic mockery of justice for Negroes in the South. The whole purpose of this bill is to get away from just this type of failure of justice and to carve out a new and fair and effective remedy for this ancient right. *DOROTHY KENYON.*
New York, July 24, 1957.

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criminal process and trial by jury of one's peers is worthless. No remedy worthy of the name exists for deprivation of his voting rights, there being no justice for black men before all-white juries. So we have to invent another remedy. The history of the law is full of just such examples of the age-long search for remedies to give meaning and substance to otherwise empty rights.

Amendments Opposed

The heart of this section of the bill, make no mistake, is its elimination of trial by jury. Hitch on a jury provision (no matter how limited, as suggested by some, to facts actually in dispute; and what cases cannot be so converted by the simple expedient of the defendant's pleading Not Guilty?) and you will have cut out the heart of this new remedy. The bill becomes a worthless piece of paper.

Why, then, all the outcry about the sacred right of trial by jury, the conflict of civil liberties involved, and so forth? Many people are confused by such talk. What is the answer and the argument in favor of this new remedy?

First, there is no constitutional right to trial by jury in injunction cases where the Government is the plaintiff. In the strict sense, therefore, no civil liberties issue is involved. It becomes merely a question of the wisdom, on balance, of extending jury trials to cases such as these and whether greater or less fair play is thereby brought about.

The standard illustration brought forward by its proponents is the requirement of jury trials in labor injunction cases.

Differing Cases

But note the difference: In labor injunction cases the Government or a great corporation is the plaintiff;

Tells Ike House-Senate Group May Compromise

BY ROSE McKEE

WASHINGTON — (INS) — Senate GOP leader William F. Knowland told President Eisenhower Saturday he hopes Congress still will find a "Middle Ground" and agree on an effective voting rights bill at this session.

The California Senator reported to newsmen after a breakfast conference with the President that there is "at least a possibility" of Congress adjourning for the year by Aug. 24.

Knowland's feeling that House-Senate conferees on the Civil Rights Bill might work out a compromise sharply contrasted with his earlier warning that the Senate's approval of a jury trial amendment had killed the measure.

HOPE IS SHARPENED

Sen. Hubert Humphrey (D) Minn., said: "It would be much better if those be attempting to breathe life into it."

Knowland said there is "no doubt" in his mind that Mr. Eisenhower is "disappointed" that the Senate wrote into the bill a guarantee of jury trial for violators of rights in criminal contempt cases. "The Republican leader said the deviation is especially bad because the trial proviso extended to all other types of criminal contempt cases, affecting anti-trust and other government suits."

water on speculation that the president's vs denunciation Friday of the GOP Leader threw cold the Senate jury trial amendment spelled a probable veto of such a bill.

DID NOT DISCUSS VETO

"Did not read that into the President statement," Knowland said. But he emphasized that he and Mr. Eisenhower did not discuss the veto question during their breakfast meeting at the White House.

Knowland said much will depend upon which Senators are named to the Conference Committee which will work out a compromise, assuming the House does not accept the Senate Bill intact.

EASTLAND'S POSITION

He said the Senate itself will pick the Conferees and that seniority on the Judiciary Committee, headed by Sen. James O. Eastland (D) Miss., a foe of Civil Rights Legislation, will not necessarily apply.

He indicated the Senate Con-

ferrees probably will be chosen to fairly represent the Senate's conflicting views on the issue.

Sen. Joseph C. O'Mahoney (D) Wyo., original sponsor of the jury trial proposal, indicated he would be willing to see its application restricted to just voting rights. In fact, he said he would be "glad to ask the Conferees" to consider this.

But O'Mahoney hit back at the President's denunciation of the amendment. He said: "The President is a general, not a lawyer. He does not understand this."

The Senate in a burst of speed, concluded its amending process Friday and brought the bill to the point of a final vote, except for closing speeches.

FINAL PASSAGE

Final Passage was postponed until next week and both Knowland and Senate Democratic Leader Lyndon B. Johnson said they hoped the vote would be reached by Wednesday.

Knowland told newsmen he would be prepared to "stay as long as necessary to pass a conference report" on the bill. He pointed out that and Southern filibuster against a compromise would be "severely punished" if the measure must be vetoed up or down without amendment.

Senate sources expect Johnson and House Speaker Sam Rayburn (D) Texas, to use their influence to have the House accept the Senate Bill without going to conference or, failing this, to have the conferees agree on a modification acceptable to most members and to the president.

Democrats frankly concede that if there is no bill the political advantage will go to the Republicans because the Civil Rights issue will be kept alive in the drive to win Negro votes in the 1958 Congressional and 1960 Presidential elections.

GOP Drops Civil Rights Compromise

Knowland to Fight For Section Three As Parley Fails

WASHINGTON, July 19

(UP). — Backers of President Eisenhower's civil rights bill today abandoned efforts to work out a compromise to scale down the Attorney General's authority to take court action against violators.

Senate Republican Leader William F. Knowland (Calif.), who has been spearheading the fight for the bill, said the measure's all-out supporters would fight for so-called Section 3 of the bill as it now stands.

NO JURY TRIAL PROVIDED

The provision would give the Attorney General power to seek Federal court injunctions to block actual or threatened civil rights violations. Violators could be held in contempt and punished by a Federal judge without jury trial.

Knowland's announcement followed day-long maneuvering. At one point, Sen. George D. Aiken (R., Vt.) stalked out of a meeting of GOP Senators, charging that his party colleagues were playing politics with the measure in an effort to win votes in 1958 and 1960.

Knowland earlier had introduced three minor amendments in an effort to placate Southern foes of the measure.

WILL VOTE ON SECTION

His big hope, now apparently vanished, had been to work out a compromise on Section 3, which the Southerners could accept and which still would satisfy the Re-

publican-Northern Democratic coalition supporting the legislation.

Knowland said it was decided to let the Senate vote on the disputed Section 3 as it now stands, when the issue comes before the chamber next week. He said that if the section is knocked out, he may offer a watered-down substitute later. He said it had been impossible to get general agreement among backers of the bill on a compromise strong enough to satisfy him.

PARLEY PLANNED

Sen. Hubert S. Humphrey (D, Minn.) refused to give up. He said the bill's supporters would continue to confer over the week end in an effort to find some solution.

Knowland said he would not back a compromise amendment offered by Sen. Arthur V. Watkins (R., Utah), under which the Attorney General could take action to enforce integration only when requested by State or local authorities—except in cases involving the right to vote.

The three amendments Knowland introduced would make the appointment of the staff director of the proposed civil rights commission subject to Senate confirmation; would bar the commission from using unpaid, volunteer staff workers; and would require the commission to report to Congress, as well as to the President, changed.

CLARK URGES CHANGE

Sen. Joseph S. Clark (D., Pa.) proposed that Section 3 be amended to provide for jury trials in contempt cases when the facts are in dispute. As passed by the House, the bill would authorize Federal judges to punish violators without jury trials.

Clark told the Senate that his amendment "should go a long way toward meeting the objections of those who believe that no one should be fined or imprisoned for what is essentially a criminal set without benefit of trial by jury."

Knowland sees more changes in rights bill

WASHINGTON, Aug. 6

(AP)—Sen. Knowland (R., Calif.) predicted after a White House conference today that Congress will change the Senate's civil rights bill before passing it finally.

Knowland, the Senate Republican leader, told reporters, the "general feeling is that the bill is not in satisfactory form." House Republican Leader Martin of Massachusetts, speaking with newsmen separately, after GOP congressional leaders had held a weekly conference with Eisenhower, said:

"THE BILL is unacceptable to the president. He intimated strongly that it doesn't meet what he is seeking to obtain, the right of all people to vote." Asked if Eisenhower had said he would veto the bill in its present form, Martin said the president made no such statement but "it might well be vetoed unless it is materially changed."

Martin said Republicans in the House "will fight the Senate bill as it now is and hope for a reasonable compromise in conference."

KNOWLAND SAID Martin told the conference he thinks there is a good chance the House will send the bill to a conference committee. Democratic leaders have been trying to maneuver House acceptance of the Senate version. That would send the measure to Eisenhower for his approval or rejection.

Knowland said "The president feels the amendments greatly weakened the voting rights provision of the bill. In my judgment the bill before the Senate is not the final form that will be passed by Congress."

SEN. LYNDON B. Johnson of Texas, the Democratic leader, told reporters he hopes the Senate will reach a final vote on passage tomorrow or Thursday.

It cannot be changed in form in the Senate except by unanimous agreement, which Sen. O'Mahoney (D., Wyo.) said he would oppose.

Knowland said he hopes a Senate-House committee can agree on a compromise version in time for the bill to be taken up by both houses in the next two weeks. Any such compromise would be subject to a filibuster if Southern Senators found it objectionable to them.

JOHNSON TOLD THE Senate "there are those who are more interested in votes in 1960 than in the right to vote in 1957 and in all the years to come." Johnson also said, "These are the people who seek to use a large group of our fellow Americans as dupes in a political shell game."

The Senate sealed the bill up last Friday by the parliamentary device of a third reading. Parliamentarians said it could be reopened only by a unanimous consent agreement.

With any alterations thus left to uncertain House action, the senatorial argument over the jury trial provision continued at a bitter level.

O'MAHONEY SCOFFED at administration contentions that the enforcement of anti-trust or regulatory commission decisions would be weakened.

"Most of these regulatory laws apply primarily to corporations and corporations are not notorious in preferring to have their cases handled by judges and not by juries," he said. "The jury provision will strengthen enforcement in these cases."

O'Mahoney said his proposal ought to be called the "anti-dragnet" amendment. He said that among other things it was designed to protect with a jury trial an innocent bystander who might be caught up in a riot and have to prove he took no part in it.

Sen. Smathers of Florida, who heads the Democratic senatorial campaign committee, said in better to constituents he thinks he "self-styled liberals" in Congress don't want any bill passed at this session "in the belief that

they will be able to pass a more stringent bill next year."

Smathers said he hopes the House accepts the Senate measure, a hope that obviously was shared by Johnson.

JOHNSON'S CRITICISM yesterday of Vice President Nixon pointed up the political controversy raging about the bill. Johnson accused Nixon of leading "a concerted propaganda campaign" to downgrade the administration's version of the measure.

There was no public reply from Nixon. But it was obvious he was working with other leaders in an effort to get the House to send the bill to a Senate-House conference for the possible restoration of some of the enforcement teeth extracted by the Senate.

IKE FROWNS ON COMPROMISES IN RIGHTS BILL

BY PHILIP DODD

[Chicago Tribune Press Service]

Washington, July 15—The Eisenhower administration today withheld its blessing from efforts in the senate to trim its civil rights bill to a form that might win grudging approval of southern senators.

The compromise most discussed in the corridors and cloakrooms was a substitute measure proposed by Sen. Mundt [R., S. D.], who frequently tries the role of peace-maker between northern and southern lawmakers.

Eliminates One Part

Mundt's proposal, advanced in debate Saturday night, would be a three part bill creating a Presidential commission to investigate charges that voting rights are being denied, establishing a civil rights section in the justice department, and permitting the attorney general to seek civil court remedies in denial cases.

Mundt would eliminate the controversial part 3 of the administration's bill which would give the attorney general sweeping powers to enter all types of civil rights cases. Southern senators charge that section would enable the

federal government to force school integration with the aid of the army and navy.

Knowland Sees Hold Out

But Sen. Knowland [R., Cal.], senate minority leader and the administration spokesman in the civil rights debate, told reporters he was sure the administration would hold out for its original four part bill.

"Maybe a few clarifying amendments would be accepted," Knowland said, "but I am not in accord with completely eliminating part 3."

Knowland said it was "conceivable" that the civil rights issue could be disposed of by the middle of August but that

he was prepared for a long fight which could entail around the clock sessions and a full-blown filibuster.

Predicts Filibuster End

"I think we can break a filibuster," the senator asserted. If that happens, it would be the first time since the reconstruction days of 90 years ago the senate could pass a civil rights bill.

The senate was scheduled to vote tomorrow night on Nowland's motion to begin formal debate on the house-approved civil rights bill.

Approval of the motion by a wide margin was expected.

Sen. Morse [D., Ore.] has threatened to move to send the bill to the judiciary committee for two weeks consideration. Technically, the house bill has not been seen by the committee, altho it has considered similar senate bills for six months.

Seventh Day of Debate

Knowland said he was confident the Morse motion could be defeated handily and that the senate then could proceed to consider the bill itself. Today was the seventh day of debate on the Knowland motion.

In today's debate, Majority Leader Johnson [D., Tex.] made his daily "peace and harmony" speech, praising the senate for its "productive" debate of the past week.

But the next speaker, Sen. McNamara [D., Mich.], spoke bitterly of "King Filibuster"

thwarting the will of the majority and said the only motive of the compromise proponents was to "gut the bill of its effectiveness."

Attack by Long

Sen. Long [D., La.], attacking the bill as a "bad" and "punitive" measure, said it would hinder the progress of the southern Negro because it would increase the trend of whites to organize to thwart such measures as school integration.

"Don't force the people of the south," said Long, "to join one of two groups—one composed entirely of whites and another composed almost entirely of Negroes."

Sen. Humphrey [D., Minn.] accused the bill's opponents of "talking legalisms" rather than discussing the merits of the bill.

Meany Asks Senate Pass Rights Bill

AFL-CIO Pres. George Meany sent a letter to Senators urgently recommending that they beat down the upcoming southern Democratic filibuster and pass the House - approved civil rights bill this year.

The filibuster, scheduled to open next week, is expected to run from four to five weeks before it is broken either by a cloture vote, requiring 64 affirmative votes to halt debate, or by collapse of the southern opposition through exhaustion.

Minimum Bill

Meany said the AFL-CIO supported the House-passed "right-to-vote" bill as a "minimum but meaningful bill" that could make a "significant contribution toward breathing life into our constitutional rights, especially the basic and cherished right to vote."

Meany also urged senators to reject a so-called "jury-trial" amendment, sponsored by southerners, that would deny judges the power to impose summary punishment for contempt for violations of injunctions against conspiracy to restrain voting rights.

In a related move, Auto Workers Pres. Walter P. Reuther, an AFL-CIO vice president, asked a Senate Rules subcommittee to hasten revision of Senate Rule 22, which embodies the present cloture rule requiring a minimum of two-thirds of Senate membership to halt a filibuster.

Reuther pointed out that the power of a minority to obstruct Senate action by prolonged talk affects much legislation besides civil rights bills.

Reuther charged that Rule 22 "betrays the fundamental principle of majority rule inherent in democratic government and embedded

in our Constitution."

Veto Power of Minority

He quoted Sen. Clinton P. Anderson (D-N. M.) as calling the filibuster the "veto power of the minority over the majority" and a "factor never overlooked in the legislative drafting appropriations, strategy and tactics"—a factor that "affects and conditions every piece of legislation."

He endorsed the Douglas - Ives proposal allowing the breaking of a filibuster by simple majority vote after 15 legislative days of debate.

The House-passed bill would authorize federal courts, on complaint of the attorney general, to enjoin conspiracies to interfere with the voting rights of citizens and to punish for contempt violators of the injunctions.

It also would create a civil rights division in the Justice Dept. and a civil rights commission to investigate charges of violations of rights.

Southerners are expected to make an all-out effort to prevent the House measure from reaching a showdown vote. If they are beaten in this, they will seek at least to provide for jury trials to determine whether federal injunctions have been violated.

They argue that labor has long opposed court injunctions in labor disputes and that trial by jury is part of our constitutional rights.

Would Weaken Law

Meany pointed out that after "earnest study" the AFL-CIO reached a "considered judgment" that summary contempt punishment for violations of injunctions is common in equity courts and that "present practices with regard to jury trials are not impaired" by the House-passed bill.

Boys Clubs Send 'Thanks' to Meany

The Boys Club of America has sent its warm thanks to AFL-CIO Pres. George Meany for turning over to it the \$5,000 American Citizenship Award gift he recently received from the Junior Order, United American Mechanics.

Meany, who received the honor and the gift from the fraternal organization at a dinner in Knoxville, Tenn., promptly passed the check along to another and unrelated Meany—Joe—the Boys Club Junior Citizen of the Year, as temporary custodian for the Boys Clubs.

Pres. Albert L. Cole of the Boys Clubs, in writing Meany, advised him that part of the fund has been set aside as a scholarship for young Meany, a member of the Waltham, Mass., Boys Club who will enter Notre Dame University in the fall.

He cited the AFL-CIO "voting rights" resolution declaring that addition of a jury-trial amendment would remove the "teeth of the proposed law."

He asked senators also to oppose any attempt to attach a so-called "right-to-work" amendment, which he said would be a "transparent maneuver" to kill the bill.

Meany warned that friends of civil rights would have to "close ranks and work together to assure action this year on a meaningful bill."

Many previous southern filibusters have blocked action because southern opponents of civil rights were better organized, better disciplined and more determined than advocates.

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MINISTERS NATIONAL CIVIL RIGHTS CONFERENCE

Clerics Hold Civil Rights Conference

NEW YORK — The Ministers

National Civil Rights Conference staged a two-day session in Washington, D. C. this week.

On Wednesday the delegation met at the Old House office building with Rep. Adam Clayton Powell, jr. Other members of the Democratic caucus invited to attend were Speaker of the House Sam Rayburn; Rep. Jere Cooper of Tennessee, Paul Butler, chairman of the Democratic National committee.

On the same day, the group held a joint meeting with the National Fraternal Council of Churches headed by Rev. W. H. Jernagin, at Mt. Carmel church. A seminar on civil rights and a civil rights rally also were held at the church.

The delegation also visited various Congressmen on Capitol Hill, before closing their sessions with a meeting at Bible Way church, Rev. Smallwood E. Williams, pastor.

Officers of the MNCRC are: Rev. Gardner C. Taylor, Chairman. Bishop S. L. Greene, sr., co-chairman; Bishop William Y. Bell, vice chairman; Rev. Sandy Ray, executive director; Rev. O. Clay Maxwell, jr., coordinator and John H. Young, III, public relations.

Delegations scheduled to attend included:

MASSACHUSETTS: Rev. Paul A. Fullilove, chairman; Rev. George T. Simms, Bethel AME; Rev. Charles Cobb, St. Johns Congregational; Rev. Hezekiah M. Hutchings, Alden St. Baptist; Rev. Frank Jones, Gardner Memorial AME Zion, and Rev. J. H. Hamer, Faith Baptist; all of Springfield. Revs. Richard M. Owens and W. M. Hester of Boston.

CONNECTICUT: Rev. John B. Pharr, New Haven; Rev. S. W. Jacobs, Bridgeport.

NEW JERSEY: Rev. J.E. Smith,

Newark; Rev. E. G. Thomas, S. Orange; Rev. B.F. Johnson, Newark; Rev. J. Vance McIver, Orange.

PENNSYLVANIA: Dr. W. H. Gray and Bishop David H. Simms (AME) co-chairman; Revs. A. C. Maxwell and Raymond Stewart, leaders; Revs. Walter Wynn, O. M. Locust, W. V. Toland, W. H. Anderson, Wrennie Morgan, Lester Smith, C. M. Smith, W. H. Bentley, Charles S. Lee, all of Philadelphia.

ILLINOIS: Revs. Alexander James and Morris Tynes, leaders; Rev. J. C. Austin and Rev. Owen Pelitt, all of Chicago.

OHIO: Dr. A. H. Jarmon, leader; Revs. O. M. Hoover, Henry J. Payden, J. T. Weeden, and Sylvester Williams, Baptists; Dr. A. L. Fuuller, A. M. E. Zion; Dr. M. E. Nelson, M. E.; and Father John E. Davis, Episcopal.

MORSE BLOCKS DELAY

Wash. 7-31-57
Russell Lashes Republicans

For Yielding To White House Pressure

By MORRIS CUNNINGHAM

From The Commercial Appeal
Washington Bureau

WASHINGTON, July 30. —

Dixie senators Tuesday stepped up their drive to offset White House pressure and win crucial votes for a jury trial amendment to the Administration's Civil Rights Bill.

Senator Richard B. Russell (D., Ga.) scored Republican senators for yielding to White House dictation and charged civil rightists are trying to stir up race riots in the South comparable to the one Sunday in Chicago.

Morse Blocks Delay

The Dixie leader's hard-hitting speech, one of the bitterest of the three weeks debate on the bill, came as Senator Wayne Morse (D., Ore.) blocked a move to lay aside the measure for two days to give the Senate time to act on appropriations and other important measures.

Senate Democratic Leader Lyndon B. Johnson (D., Texas) proposed the two-day "truce" and asked the required unanimous consent.

Senator Russell agreed, but Senator Morse blocked the proposal by objecting. The Oregon Democrat declared there should be "no truce, no armistice" until the "civil rights battle is won or lost."

With that, the debate was on again, with no certain prospect of when the jury trial issue will come to a vote.

Dixie senators agreed at a caucus to start preparing some new speeches. Senator Albert Gore (D., Tenn.) announced he will speak later this week.

Time To Gain Votes

The renewed debate will allow time for both sides to continue their quest for votes.

Backers of the jury trial proposal continued to insist they have more votes pledged than their opponents, but nevertheless Senator Russell told newsmen the margin "is too close for comfort."

Labor unions moved into the battle as the AFL-CIO reiterated

that six per cent of the total labor force.

All other areas in the state were placed in a "C" category, which means they have a moderate labor surplus.

The new classification of the Knoxville area, which includes the heavily industrialized centers of Oak Ridge and Alcoa, "points up once again the need for immediate and concerted action by all Tennessee communities," Commissioner McSwee said.

He pointed out that in spite of great progress during recent years in obtaining new industries and expansion of existing ones "the growing labor market continues to outdistance job opportunities in the state."

He hailed Gov. Frank Clement's plan to hold a statewide conference in the middle of August to help find a solution to the problem.

Records show Knoxville's manufacturing employment in their previously indicated support for the jury trial proposal and this raised the possibility of defections.

The United Mine Workers' statement was signed by John L. Lewis, one of the nation's oldest and most experienced labor union leaders, who in his long career has felt the power of Federal Court injunctions. Several years ago his union was fined a million dollars in a Federal Court proceeding.

Endorsing the pending jury trial amendment, the union leader's statement affirmed support for civil rights legislation but came out strongly against denial of jury trials in contempt cases.

Read By Johnson

Read to the Senate by Senator Johnson, the statement continued: "The strong and harsh power of injunction has been in the past so often abused and indiscriminately used that enlargement thereof, even for worthy purposes, must carry with it reasonable protection to all citizens who may be charged with violation and thereafter cited and tried for contempt."

"We should not and need not endanger one civil right in an endeavor to guard and secure another. Government by injunction is generally to be abhorred and this would be particularly true if enforced by contempt action without the protective right of trial by jury."

Expanding power of a central government must be carefully controlled and is allowable only when contemporaneous safeguards are provided for protection of all citizens alike in all parts of the country as against the inevitable encroachment on the inherent rights of the people which historically follows under the aegis of a law once enacted."

Taking an entirely opposite view, the AFL-CIO called the jury trial amendment "extraneous" to the Civil Rights Bill and declared the jury trial issue "was initially raised by opponents of the bill in order to attract support from labor and from traditional supporters of civil liberties."

Long-Delayed Actions

Specifically, it would have permitted action on defense and agriculture appropriations bills, mutual security authorization, and extension of the expired Small Business Act.

In addition, it would have given authority for Government agencies that have not yet received appropriations to continue to spend money.

Blocking the proposal, Senator Morse outlined his reasons in a long speech in which he stressed the importance of the Civil Rights Bill.

"I don't think any department is going to collapse if it doesn't get its appropriation by Aug. 1," he declared.

Senator Knowland, leader of foes of the jury trial amendment, agreed to the proposed truce. But, after another White House meeting with President Eisenhower, he declared he is ready to fight the amendment "all winter" if necessary.

Senator Russell touched off the most acrimonious exchange of the three weeks fight as he hit at White House pressure on Republican senators.

Scores Being 'Dragooned'

He told the Republicans they should not permit themselves to be "dragoon" by the President into voting against the jury trial amendment.

He recalled that Senator Knowland earlier reported that President Eisenhower intended to keep hands-off the Senate debate.

But he added that Monday the GOP leader brought word that the President "was standing firm" against the jury trial amendment.

"Now we are told the heat is on," the Georgian continued. "We are told that no Republican can think of voting for anything as elemental as a jury trial—because the President might call him on the telephone."

As for heat, Senator Russell said he and other Southern senators felt it during the Truman Administration when they voted to override President Truman's veto of the Taft-Hartley Law.

And he said some groups are still trying to punish them for those votes.

"A man ought to be able to stand a little heat if he believes in a principle," he declared.

No Plea For Mercy

"I'm not pleading for mercy here," he added, "I'm asking for an open mind."

He said Southern senators would agree to the proposed two-day truce "even though we would lose a certain amount of tactical advantage."

He said Dixie senators were "reasonable men" and didn't want to "obstruct the operation of the Government."

Moving to another field, the Georgian declared Chicago once

was dominated by gangsters headed by Al Capone. But he said that despite the wholesale denial of rights of citizens of Chicago, no one proposed a resort to government by injunction and denial of jury trials.

Senator Paul H. Douglas (D., Ill.), ardent opponent of the jury trial amendment, conceded that was "perfectly true." And he went on to say that even today "we have real problems" in Chicago and Illinois.

Noting the bloody race riot in Chicago's South Side area Sunday night, he conceded that one of the present day problems is that "things don't always run smoothly between the races."

But he said that Negroes are permitted to vote in Chicago, and are not segregated.

'Recognize Our Problems'

"In this situation," he said, "there will be frictions. But we recognize our problems. We're doing our best to solve them, not to run away."

He said he wished "Southern senators would do the same instead of trying to sprinkle them with rose water and pretend they don't exist."

He said he doesn't "hate" Southerners and said they should not adopt a "persecution complex" when outsiders try to help them with the race problem.

He called it a "national problem" and said it's "only more acute in the South because they have more Negroes."

No Riots For Many Years

"The senator from Illinois," Senator Russell retorted, "says 'we know more about this problem than you do,' then he apologizes for a race riot."

"We have had no race riots in the South for many years, but he tells us that even if we pile them up in the streets, we're going to mix them."

Continuing, the Georgian said: "What would have been the public reaction throughout the United States if those riots had taken place in Georgia? They would have been publicized to the highest heaven. There would have been demands to send shock troops into Georgia. But when it happens in Chicago, it is carried on page 7 or 8."

He denounced Senator Douglas for what he said was his "sanctimony, hypocrisy, and holier-than-thou attitude."

Moving to another field, the Georgian declared Chicago once

"The senator from Illinois," he said, "has great influence in his state. I implore him not to permit any more race riots in Chicago until this debate is concluded."

A burst of laughter came from the crowded galleries.

Cites Detroit Riot

He said other Northern cities also have had race riots. He said "they had one in Detroit a few years ago that was so bad the Governor of Michigan asked the President of the United States to send in Federal troops."

During the day Southerners filed telegrams from Federal judges and other sources refuting charges that Negroes are barred from Federal juries in the South.

Senator James O. Eastland (D., Miss.) presented telegrams from Federal Judges Allen Cox and Sidney Mize of Mississippi. And Senator Gore reported that two Negroes are serving on the present Federal Grand Jury in Nashville.

Senator Gore also forced Senator Jacob Javits (R., N. Y.), an opponent of the jury trial amendment, to concede that a list of cases he had cited in which Negroes had been excluded applied mostly to state rather than Federal grand juries.

HIS FIRM STAND

Both Rights Factions Left Unhappy by Morse

By ARTHUR EDSON

WASHINGTON, Aug. 1 (AP)—In a debate like civil rights, it's hard to take a firm stand and not wind up making somebody unhappy. But it's even harder to take a course—and to stick to it resolutely—and wind up making everybody unhappy.

Yet that seems to be what Sen. Morse (D-Ore) has done.

In the early stages of the Senate debate Morse had the pro-civil rightsers looking sadly at him because he objected to making the civil rights bill the next order of business. He preferred to send the bill to committee, as is customary.

Although the anti-civil rightsers gladly accepted his help, they, too, looked at him sadly. They knew that if a time comes when long talk counts, this longest talker of them all would be talking on the other side.

And then came the three little words that, to outward appearances, displeased not only the antis and the pros, but also a vast number of other people, including the pear growers in Morse's Oregon.

"I do object," said Wayne Lyman Morse, and thereby refused to untangle the knot in which the Senate had entangled itself.

The tangle really was simple: Civil rights would be the order of the day until everyone agreed to put it aside for something else. Naturally, in a government like this, business quickly piles up, so an attempt was made to take a breather from civil rights and take care of some of it.

Everyone seemed agreed that this should be done.

Sen. Spessard Holland (D-Fla.) pointed out that one of the bills would aid the orchardists of Oregon, whose pears are beginning to drop and need to be moved.

Then Morse got up. He said he was sorry he had to take this stand. "I do not like always to be in the minority," Morse said.

But he said he wanted to tell his pro-civil rights colleagues this:

Morse Blocks 2-Day Recess In Rights Fight

WASHINGTON.—Plans to sidetrack civil rights legislation to take up urgent appropriations bills were blocked in the Senate Tuesday by Sen. Morse (D., Ore.)

The unpredictable Morse objected to a unanimous consent agreement proposed by the majority and minority leaders—Senators Johnson (D., Tex.) and Knowland (R., Calif.)—to lay aside the civil rights measure Wednesday and Thursday.

"We've been talking about fighting for an effective civil rights bill," Morse asserted. "So now let's fight! I object to the unani-

mouse consent agreement."

Holds Delay Unnecessary

Morse said he knew there was plenty of money "in the pipeline" to keep the government going and that the agreement was not necessary.

The principal money bill helped up by the Senate civil rights debate, now in its fourth week, is the 35-billion dollar defense department measure. Others would provide funds for the agriculture department and authorize foreign air appropriations.

Morse's determination to keep the civil rights debate going was in contrast to earlier actions when he voted against putting the house approved measure on the calendar without Senate committee hearings and proposed delaying the start of debate for a week.

May Stay in Session

Meanwhile, after a conference between GOP legislative leaders and President Eisenhower, Knowland said the Republicans are pre-constitutional rights."

Aids Nullification of 14th Amendment

Further, he charged, the action by the Senate "gives aid and comfort to those who would nullify the equal protection clause of the Fourteenth Amendment. It remains in the Constitution and may be invoked occasionally by a private citizen. It may be upheld in judicial decisions, but the Senate, unless it reconsiders, has voted to handcuff the national law enforcement agency in enforcing equal protection of the laws.

"It remains to be seen what will be done with Part IV of the bill dealing with voting. It would be bitter irony, indeed, if the first civil rights legislation enacted in 80 years should repudiate both the Fourteenth and Fifteenth Amendments," Mr. Wilkins asserted.

Following the southern victory in eliminating Part III, attention in Washington was again focused on Part IV and efforts of southern Democrats to weaken it by providing for jury trials in contempt cases growing out of violations of federal court orders against interfering with the right to vote.

Role of the President

President Eisenhower has expressed a desire to see this sec-

tion of the bill enacted without any crippling amendments such as the proposed jury trial clause. However, the President has not made any remarks in support of the bill since he issued his statement on July 16 after the Senate had voted to take up the measure.

Sen. Morse Blocks Effort To Sidetrack Rights Bill

WASHINGTON, July 30 (AP)—Sen. Wayne Morse (D., Ore.) blocked the Senate today from interrupting its three-week-old civil rights fight to act on a backlog of urgent money bills and other non-controversial measures.

But there were indications that Senate Democratic Leader Lyndon B. Johnson might try again tomorrow to persuade the Senate to set aside President Eisenhower's civil rights measure to act at least on the most important of the bills.

They include the Defense and Agriculture appropriations bills

and a resolution to authorize government agencies, which have yet to receive their appropriations, to continue to spend money at present rates.

Johnson's attempt to sidetrack the civil rights bill temporarily came amid some of the sharpest and most heated debate yet on the measure. Northerners bitterly assailed Negro conditions in the South. Southerners, in turn, shouted their alarm at race riots in Northern cities.

Sen. Richard B. Russell (D., Ga.), the leader of the Southerners, also urged GOP senators not be "dragooned" by pressure from Eisenhower into voting against a pending amendment to write a jury trial guarantee into the right-to-vote section of the bill.

Congressional leaders were concerned but not immediately alarmed at the outlook for federal agencies which have not yet received any appropriations. But they said they would be

alarmed if the stalemate continued another week or so.

But Johnson brought his proposal to the Senate floor under a procedure that required unanimous consent for approval. Morse's lone objection was sufficient to scuttle the move.

Morse, a former Republican who has always been regarded as a political maverick, holds the Senate's one-man filibuster record of 22 hours, 26 minutes. His action came amid these other developments in the civil rights fight:

—The AFL-CIO Executive Council came out against a pending proposal to write a jury trial guarantee into the bill's right to vote section.

—John L. Lewis' United Mine Workers endorsed the jury trial proposal.

—Officials of the Tuskegee Civic Assn., an Alabama Negro organization, told a news conference that registrars recently clamped down on Negro voting in Macon County, Ala. from June 3 to July 5, they said, only seven of 73 Negroes were permitted to register.

Morse told the Senate that he "can think of no more appropriate time to finish this historic constitutional debate than right now."

"Now's the time to fight it out here on this front line on civil rights," he said. He said there should be "no truce, no armistice" until the "civil rights battle is won or lost."

Another floor squabble was touched off when Sen. Paul H. Douglas (D., Ill.) mentioned the race riots a few years ago in Cicero, Ill., and a racial disturbance in Chicago last Sunday.

He told the Senate that Chicago had a "very real problem in the relationship between the races." But he said Negroes in Chicago voted in elections and were not segregated in public buses, schools or playgrounds. Noting the Illinois riots, Russell interrupted to shout:

"What would have been the public reaction throughout the United States if those riots had taken place in Georgia? They would have been publicized to high heaven. I implore the senator from Illinois not to have any more race riots until we get

through with this legislation."

Russell denounced Douglas for what he said was his "sanctimony, hypocrisy, and holier than thou attitude." He also commented that a race riot in Detroit during World War II cost many lives and required quelling by Federal troops.

Sens. Charles E. Potter (R., Mich.) and Pat McNamara (D., Mich.) immediately came to the defense of Detroit authorities.

"Because of tensions, we don't stick our head in the sand and say this is not the right thing to do," Potter said. He told Russell that Negroes in Michigan enjoyed full citizenship rights.

"We deplore race riots in Michigan and don't intend to have them in Georgia," Russell shouted. "If you must have your system, keep the riots in Michigan."

McNamara told Russell the people of Michigan could handle racial tensions in Detroit.

"Then why not let us do the civil rights?" he said. He said same?" shouted Russell.

"You've had 90 years and haven't done anything," McNamara replied.

"We don't have riots," Russell said. "We still insist that we have a right to handle this situation as we see fit."



MORSE

South Met 'Halfway' On Rights

MUNDT BACKS MOVE TO EASE RIGHTS BILL

James P. Picayune
Joins Russell Action to Pull Some of Teeth

By JACK BELL



MUNDT

WASHINGTON (AP) — Sen. James P. Mundt (D-S.D.) proposed a civil rights compromise Saturday night which would go far toward meeting the protests of Southern Democrats.

His plan, the first over-all compromise formally offered since the Senate began debating the issue Monday, came at the end of a nine-hour and 20 minute Saturday session marked by Southern demands for elimination of a provision they fear could be used to send federal troops into the South.

Mundt's proposal would strike that section from the bill with its provisions to allow the Justice Department to seek injunctions against violations of civil rights and have offenders tried without a jury.

His plan would retain a similar section aimed only at protection of Negro voting rights but would add an amendment to require trial by jury in all cases when facts are in dispute.

The Mundt compromise was in line with much of the compromise talk being heard in the Senate.

The Senate is prepared to vote about 6 p.m. Tuesday on the motion to take up the House-approved administration bill.

Another Mundt proposal would limit powers of a proposed commission to investigate violations of civil rights. He would give the commission power only to investigate violations of voting rights but would let it hear volunteer witnesses and report on their fields of civil rights.

The South Dakota senator, whose state contains less than

1,000 Negroes by census figures, opened his speech by saying he was a "voice from a neutral corner" because the civil rights question was not a political issue in South Dakota. Speaking on the jury trial issue, he said he would find it "prohibitively difficult" to support a bill which did not provide trial by jury.

Earlier in Saturday's session, Southern Democrats demanded the Senate kill a civil rights bill provision which they said could send federal troops into the South to end segregation.

He said he had been looking for a compromise play which Southerners might not like but with which the South could live.

He said he had drafted his plan after consulting many members of the Senate and expected to offer it as a substitute for the pending bill.

WASHINGTON, July 13 (AP) — Sen. James P. Mundt (D-S.D.) Saturday in a bipartisan move to take some of the enforcement teeth out of the administration's civil rights bill.

With supporters of the measure fighting against "compromise" moves, Mundt announced he will offer a substitute for the measure which would delete enforcement authority for civil rights other than those involved in voting.

Previously Russell, commander of the bill's opponents, had offered a series of amendments. One of these would strike out part III of the bill.

Opens Way to Troops
It authorizes the attorney general to bring civil suits to prevent infringement or threatened infringement of civil rights in general. He could seek injunctions in federal court and anyone violating the injunction could be fined or jailed for contempt without jury trial.

Russell has contended this portion of the measure is aimed at enforcing the supreme court's school desegregation opinion and at bringing about integration in the South. He has said it makes possible the use of troops to reach those objectives.

Mundt told a reporter his substitute proposal is designed to place before the Senate "a measure the Southerners can't vote for, but one with which they can live."

In addition to striking out part III, Mundt said his substitute would incorporate a so-called jury-trial amendment offered previously by Sen. O'Mahoney (D-Wyo.). This would provide for jury trials in federal court contempt cases where the facts are in dispute.

Mundt also moved to cut down

the authority of a proposed six-member commission which would be set up under the bill to investigate and report on civil rights developments.

Would Limit Subpena Power
His substitute would give the commission subpoena power only in cases involving voting rights. It would be limited otherwise to hearing voluntary witnesses in public hearings and to making recommendations to state legislatures, Congress and the President for laws providing fuller protection of civil rights.

Russell also moved to make the appointment of a staff director of the proposed civil rights commission subject to Senate confirmation. He sought to bar use by the commission of unpaid, volunteer investigators. He said reformers have been "running around the country stirring up trouble."

Significantly, Russell made no move to delete a section of the bill which would authorize the attorney general to seek injunctions to prevent violations or threatened violations of voting rights.

President Eisenhower has said the protection of such rights was his principal objective in asking Congress to act on the legislation.

No sooner had Russell made his proposals than Sen. Javits (R-N.Y.) took the floor to caution supporters of the bill against talking at this time about compromises. He said the objective now should be to get the bill officially before the Senate when the chamber votes on that question late Tuesday.

Describing the House measure as "a very moderate bill," Javits said he doesn't believe compromises will win the bill any more supporters.

"We all should know from our legislative experience that those who are unalterably opposed will

often support and vote for amendments reducing the scope of the bill, its enforcement powers—indeed, emasculating it—and then vote against the bill," he said.

James P. Picayune
'Roman Circus'—Ellender
Sen. Ellender (D-La.) told the Senate that if Congress sets up a civil rights commission with subpoena power it will be creating a "roving grand jury with nationwide jurisdiction" to "pry into private files" and dig up information on which the attorney general can act.

Noting that the termination date specified for the commission is in 1960, Ellender said that was "no coincidence." "Not only could this be used as a witch-hunt, it could be used as a political witch-hunt," he said. "If this commission is created as now proposed, the nation could witness a Roman circus such as we have never seen before."

Ellender said the proposed civil rights commission would be "more powerful than the FBI in that it will be clothed with the right to subpoena."

The Louisiana senator described as "poison" that part of the bill which Russell proposed be stricken. He said it would allow the federal government to bypass state courts to enforce integration of intrastate buses, public golf courses and swimming pools and to prevent discrimination in employment.

Asks If Legislators Curbed
Ellender raised the question of how far the powers included in the bill would reach.

Would it empower federal courts to enjoin state legislators from enacting laws abolishing public schools?" he asked. "Would it permit injunctions to issue against state legislators desirous of clinging to segregated public schools as long as possible? If so, would it not be possible for the entire membership of state legislatures to be jailed for violating such an injunction?"

Ellender said sponsors of the bill argued against the right of trial by jury in contempt cases growing out of alleged civil rights violations because they contend Southern juries will not convict in such cases.

"It is a sad day for our country and our people when Congress is implored to find

a way around jury trials because the justice department is having difficulty in obtaining convictions," he said.

"... In the eyes of the bureaucrats, the solution is to ... bypass grand jury indictments, to short-circuit the traditional guarantee of trial by a jury of one's peers, to do away with confrontation of witnesses. If this is not burning down the house to roast the pig, I do not know what it is."

"I defy any member of the Senate to show me where the Constitution confers upon the federal government any right to swim in a public pool, attend an unsegregated school, play golf on an unsegregated golf course, or indulge itself in any right enumerated in court decisions under the 14th Amendment."

"Yet these are the rights which the federal government would be empowered to enforce in its own name or on its own behalf under the bill."

Ellender said the bill could be used to abolish freedom of speech, the press, and petition.

Cites Free Speech Guarantee

"Suppose," he said, "the editor of a newspaper writes an editorial to the effect that school integration is foreign to our way of life. What about an editor's right to print such an editorial? Is it not crystal clear that an injunction forbidding the writing or publishing of such an editorial would cut the heart from our guarantee of a free press?"

"What about a group of citizens gathered together in another's home to discuss ways and means of maintaining school segregation? Could a court not find that they are about to engage in a conspiracy? If they were enjoined, what happens to freedom of speech and freedom of assembly?"

Ellender said nobody could quarrel with the right to vote. But he said the bill proposes "an improper exercise of whatever power the federal government has in this field."

Russell's action in offering the three amendments confirmed reports that Southern opponents of the bill do not intend to filibuster against any and all votes once it is brought before the Senate.

Won't Predict On Filibuster

Russell said in an interview he thinks Southerners will dis-

cuss the proposed amendments a "reasonable" time and then let them come to a vote. He would not forecast, however, whether there will be a filibuster against final passage of the bill.

Javits was backed in his stand against compromises by Sens. Potter (R-Mich.) and Douglas (D-Ill.).

Javits said he is standing behind part III of the measure because he said it would cover "the right to attend desegregated public schools and other public facilities such as municipal playgrounds and golf courses."

He said he thinks it should be clearly understood that anyone "who believe in civil rights must stand by the supreme court" in its ruling against school segregation. He said this right is just as important as insuring the right to vote, which sponsors have said is the principal objective of the bill.

Javits Against Jury Trials

Javits said he also was opposed to any amendment to the bill providing for jury trials in contempt cases where court orders were violated in civil rights cases. He said this would make "a special exception in the case of civil rights from the established procedure in our courts of justice since their foundation."

The New York senator said southern states courts do not provide for jury trials in similar cases.

"This is no denial of time-honored trial by jury we are talking about," he said, "but rather the denial of an inherent power of the courts essential to making effective their decrees of which backers of the amendment seek to deprive them."

Teams up with Russell—

Sen. Mundt joins softer rights fight

BY JACK BELL

WASHINGTON, July 13—(AP)—Sen. Mundt (R., S. D.) joined Sen. Russell (D., Ga.) today in a bipartisan move to take some of the enforcement teeth out of the administration's civil rights bill.

With supporters of the measure fighting against "compromise" moves Mundt announced he will offer a substitute for the measure which would delete enforcement authority for civil rights other than those involved in voting.

Previously Russell, commander of the bill's opponents, had offered a series of amendments. One of these would strike out part III of the bill.

It authorizes the attorney general to bring civil suits to prevent infringement or threatened infringement of civil rights in general. He could seek injunctions in federal court and anyone violating the injunction could be fined or jailed for contempt without jury trial.

Use of troops

RUSSELL HAS contended this portion of the measure is aimed at enforcing the Supreme Court's school desegregation opinion and at bringing about integration in the South. He has said it makes possible the use of troops to reach these objectives.

Mundt told a reporter his substitute proposal is designed to place before the Senate "a measure the Southerners can't vote for, but one with which they can live."

In addition to striking out part III, Mundt said his substitute would incorporate a so-called jury-trial amendment offered previously by Sen. O'Mahoney (D., Wyo.). This would provide for jury trials in federal court contempt cases where the facts are in dispute.

Mundt also moved to cut down the authority of a proposed six-member commission which would be set up under the bill

of the bill do not intend to filibuster against any and all votes once it is brought before the senate.

Russell said in an interview he thinks Southerners will discuss the proposed amendments a "reasonable" time and then let them come to a vote. He would not forecast, however, whether there will be a filibuster against final passage of the bill.

Jury trial

SEN. O'MAHONEY (D., Wyo.) has offered an amendment providing for jury trials in most contempt cases involving a dispute over facts. Russell has said Southerners will back this proposal.

With backers trying to build up sentiment against compromising the bill's terms, Sen. Gore (D., Tenn.) disclosed that he has been consulting with colleagues in an effort to draft a complete substitute.

Gore said in an interview he doubts more than 10 senators remain satisfied with the bill as it stands.

Any such substitute would have to be offered after the senate voters Tuesday on the motion of Sen. Knowland of California, the GOP floor leader, formally to take up the bill. Adoption of the motion is regarded as a foregone conclusion.

Sen. McClellan (D., Ark.) described the bill as "the most flagrant example of legislation by subterfuge ever presented to the Senate."

"This bill is like an iceberg," he said in a Senate speech. "There is far more concealed beneath the surface than meets the eye."

"It is, in fact, a device to authorize forceful integration of the races in the South, through the use of the armed forces, through the jailing of school trustees and other public officials, through the terrorization of even private citizens."

South not defeated

SEN. STENNIS (D., Miss.) said in a statement the Senate's broad and "cleverly concealed"

unanimous agreement to vote Tuesday on the motion to take up the bill "was in no sense threat nor defeat for the South.

Senator Mundt Plans Move To Pull Teeth From Civil Rights Bill

DIXIE GETS GOP AID

Sun. 7-14-57
McClellan Charges Measure

Is Threat To South's Poll Taxes

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, July 13.—Southerners won some Republican support in their civil rights fight Saturday as Senator Karl

E. Mundt (R., S. D.) moved to take some of the enforcement teeth out of the Administration's bill.

Senator Mundt said he was joining Senator Richard Russell (D., Ga.) in his efforts to strike Section III from the Civil Rights Bill.

Senator Mundt announced he will offer a substitute which will delete enforcement authority for civil rights other than those involved in voting.

Senator Mundt said his substitute proposal is designed to place before the Senate "a measure the Southerners can't vote for, but one with which they can live."

To Offer Amendments

The Republican senator said he will also offer amendments calling for jury trials and cutting down the authority of a proposed six-member commission, which would be set up under the bill to investigate and report on civil rights developments.

Senator Mundt announced his plan as Senator John L. McClellan (D., Ark.) charged that the Administration's bill might be used to strike down state poll tax laws.

The Arkansas Democrat declared that under the bill's broad and "cleverly concealed"

powers, Atty. Gen. Herbert Brownell Jr. "might be able to get some Federal district judge to give him an injunction that substitute government under

Senator Mundt Plans Move To Pull Teeth From Civil Rights Bill

would repeal poll taxes."

And he added that the injunction might "let him put anyone in jail who tried to collect it." He declared the bill is so sweeping in scope that "I doubt if the attorney general can say whether it applies to the poll tax."

Ellender Speaks

Senator McClellan and Senator Allen J. Ellender (D., La.) were the principal speakers as Dixie senators, in an unusual Saturday session, continued their attacks upon the Administration measure.

Senator McClellan noted that the people of Arkansas last year refused to repeal the Arkansas poll tax. And as for himself, he said, "I don't see anything wrong with a poll tax. . . . It's not unfair to require voters to meet some minimum requirement of citizenship."

He said the bill goes far beyond attempting to assure Negroes the right to vote by also undertaking to provide means for enforcing racial integration.

He said the right to vote presents no problem in Arkansas. "Everyone in my state who is qualified, blacks and white alike, have the right to vote," he said. Senator McClellan called the bill "the most flagrant example of legislation by subterfuge ever presented to the Senate."

Forced Integration

"It is presented as a bill to protect voting rights," he said, "but it is in fact a device to authorize forced integration of the races in the South, through the use of the armed forces of the United States, through jailing of school trustees and other public officials, through the terrorization of even private citizens with a view to breaking up and silencing any expression of opinion in opposition to the program of force integration."

"This," he declared, "is des-

Federal injunction for government under state law."

The Arkansas Democrat called the bill an insult to the South because it implies that Southerners cannot be trusted to act as jurors.

To arguments that there is no constitutional right to a jury trial in contempt cases, he replied that "the evil in this bill is that it seeks to make contempt cases out of acts which constitute crimes under state and Federal law."

He announced he will offer an amendment to restrain and punish subversive activities through the same injunctive processes the bill would apply to segregation.

"If this principle of enforcement by injunction is to become accepted as a part of the American way," he said, "then it certainly should be made applicable in the field of subversion, where the Federal Government has the greatest and most direct interest in protecting its very existence."

Is Former Prosecutor

A lawyer and former state prosecutor, Senator McClellan said that if government-by-injunction is to be adopted as an "expedient" in one field of criminal law, there is no reason why it should not be adopted in all.

While Senator McClellan's speech and other Southern attacks have been directed at the provisions of the bill, the measure itself technically is not yet before the Senate.

The Senate has agreed to vote Tuesday about 4 p.m. (Memphis time) on the question of placing the bill before the Senate. After that, amendments such as the one proposed by Senator McClellan will be in order.

Senate Majority Leader Lyndon B. Johnson (D., Texas) announced there are only "seven or eight" more senators who wish to speak before the Tuesday vote. So he said the Mon-

day and Tuesday sessions may close some of the amendments any of its foes. be shorter than had been expected. that will be offered after the bill comes before the Senate.

Tennessee Senators Estes Kefauver and Albert Gore apparently do not intend to join the other Southerners with speeches prior to Tuesday's vote. They indicated that the South's No. 1 objective will be to eliminate the bill's powers to enforce racial integration in schools and other activities.

Senator Kefauver took the floor briefly Saturday but did not mention the Civil Rights Bill. He said, "The No. 1 problem facing the people of the country is the steady increase in the cost of living." He called attention to an article in the Washington Post on living costs and inserted it in the Congressional Record.

Gore Leaves Capital

As for Senator Gore, he left Washington late Friday afternoon for a political speech in Roanoke, Va., and proceeded from there to his cattle farm in Carthage, Tenn. His office here was closed Saturday afternoon. He is expected to return Monday or Tuesday.

Prior to his departure, Senator Gore was occupied with a committee investigation of the "tight money" situation. Senator Ellender preceded Senator McClellan Saturday. He delivered a 35-page denunciation of the bill that lasted nearly two hours.

Centering his attack upon the broad powers the bill would give Atty. Gen. Brownell, he recalled that Thomas Jefferson once warned:

"In questions of power let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution."

Senator Ellender said, "The possible combination of a tyrannical Federal judge and a politically-minded attorney general could wreck free elections in this country as quickly and efficiently as the mailed fist of communism."

Continuing, he warned: "Do not make the mistake of trusting any one man with such great power."

'Remember Germany'

"Remember Germany — she trusted Hitler, and for that trust she was rewarded with Dachau and Buchenwald."

"Remember Russia — She trusted Lenin. For that trust, the Russian people were rewarded with blood baths, purges and secret police."

"Remember China — She trusted Mao Tse Tung. Her reward was mass torture, starvation, the erasing of the identity of the individual."

Meanwhile, in separate statements, Senators Russell and John Stennis (D., Miss.) dis-

tributed their side without winning over

Republicans already have or-

Opposes Jury Trials

He said he opposes the jury trial amendment and sees nothing wrong in supporting the provisions that would compel integration in the "public schools and other public facilities, such as municipal playgrounds and golf courses."

The New Yorker insisted that "one who believes in civil rights must stand with the Supreme Court."

Senator Douglas, responding to Senator Javits' remarks, promised that "we won't even consider a compromise." He said "we should continue to work for a meaningful Civil Rights Bill."

organized for the possible round-the-clock sessions, Sen. Morton (R-Ky) told interviewers in Louisville. He said the 46 GOP senators will be divided into 23 teams and assigned regular tours of duty on the Senate floor.

Mundt, speaking hopefully of a compromise "with which the South can live," said he believes that "in bringing about social re-

forms, the exercise of moderation is always more effective than the big stick."

He said he expects the South's

Senator Predicts Rights Compromise

Mundt Sees Bill For Which South Can't Vote But Which Can Swallow

WASHINGTON (AP) — Sen. Mundt (R-SD) predicted today the civil rights fight in Congress will produce a compromise "for which the South can't vote, but one with which the South can live".

Mundt told a reporter he expects the compromise will take the form of right-to-vote guarantees for Negroes and other minorities, plus other features, "and amended to make it more palatable?" in the Southern states.

He said guarantees of the right to vote are "the minimum" for which civil rights advocates should settle. "It is impossible to settle for less than the constitutional concept that all citizens are entitled to their franchise," he said.

GOP ORGANIZES

As Mundt phrased it, the compromise probably would embrace "the right to vote, plus; and to that extent it will be an Eisenhower victory. Beyond that the compromise would have elements of a Southern success."

In a belated development, Rep. Sikes (D-Fla.) proposed constitutional amendments he said are designed to "curb growing encroachments by the Supreme Court in the fields traditionally and historically reserved to the states."

One change he suggested would reserve to the states the "power to make laws to promote the public peace, safety and welfare, and to provide for good order, education and harmonious race relations therein."

He proposed also to put the

Meany Spurs Drive On Discrimination

AFL-CIO News Sat. 6-1-57 Washington, D.C. P. 1

"The AFL-CIO stands in the foremost ranks in the defense of civil rights and of human rights as indispensable to freedom and to true democracy," Pres. George Meany told the first AFL-CIO National Conference on Civil Rights at Washington.

More than 100 delegates from international unions, and state central bodies attended the after-noon and evening sessions.

The conference was held to implement the AFL-CIO policy of non-discrimination.

Counsel and Advise

Meany said that the philosophy of equal rights of union members irrespective of race and religion "is the cornerstone of the constitution of the merged AFL-CIO."

"We are met here today," the AFL-CIO president said, "not to pass resolutions or to make declarations. We are met here for one purpose alone—to counsel and advise together on the best ways and means of putting the policy of non-discrimination into practice. The question before this group is—what are the best ways and means of getting the job done?"

He said that the task requires taking "initiative and leadership."

"It also takes experience," Meany added. "And it takes tools. It takes tools such as information and education. And it also takes organization. . . ."

"This conference will make no binding decisions. It will lay down no binding rules. What it will do is to give us an opportunity to counsel together and to pool our best considered judgment in order to help find the best way toward our common goal on non-discrimination in employment and in union membership."

Zimmerman Appointed

Meany announced the appointment of Charles S. Zimmerman, vice president of the Ladies' Garment Workers, as chairman of the AFL-CIO Civil Rights Committee,

James B. Carey, who resigned a few weeks ago.

AFL-CIO News Sat. 6-1-57 Washington, D.C. P. 2

In accepting the position, Zimmerman pledged that he would devote his best efforts to the chairmanship and called for cooperation of AFL-CIO affiliates.

He has played a leading role in the fight against discrimination. Zimmerman is chairman of the executive board of the labor advisory committee of the New York State Commission Against Discrimination and a member of the New York Mayor's Commission on Inter-Group Relations.

He also is chairman of the Anti-Discrimination Dept. of the Jewish Labor Committee and, a member



Charles S. Zimmerman

of the board of trustees of the National Urban League and of the board of directors of the Legal



AFL-CIO News Sat. 6-8-57 Washington, D.C. P. 10

SIX WINNERS of contest for the best essays on the life of Philip Murray, including his work for civil rights, are, left to right, Merras Brown, 10; Paul Williams, 10; Everett Aronin, 11; Andrew Olim, 11; Allen Stessman, 14, and Anne Draznin, 12. All attend Chicago's Philip Murray elementary school, where they were each presented with a \$25 Government bond on the late CIO leader's 71st birthday. At rear, Chairman Jerome J. Friedman of the Law and Order Committee of the Mayor's Commission on Human Rights, and Pres. James B. Carey of the Electrical, Radio & Machine Workers take part in the ceremony.

and Educational Defense Fund of international unions, civil the National Association for the rights problems of local unions, Advancement of Colored People, civil rights committees of state and

Zimmerman has been manager of Dress Makers Local 22, ILGWU, since 1933, and vice president of the international union since 1934. local central bodies, non-discrimination clauses in collective bargaining agreements; discrimination in hiring, promotion, tenure, job training and apprenticeship.

Boris Shishkin, director of the AFL-CIO Department of Civil Rights, explained the procedure that has been set up by the Civil Rights Committee, with the approval of the AFL-CIO Executive Council, to handle complaints of discrimination. Also administration of the non-discrimination clause, grievance procedure, the President's Committee on Government Contracts as a means of preventing discrimination, and the use of state and city fair employment practices committees.

Other subjects discussed included civil rights machinery of national

Civil Rights Stressed At Two Conferences

Chicago—The presentation of six awards to students of the Philip Murray Elementary Public School here for prize-winning essays on the spirit of Philip Murray highlighted the Civil Rights Conference of the Intl. Union of Electrical, Radio & Machine Workers.

The awards were presented by IUE Pres. James B. Carey, who served as secretary-treasurer of the CIO under Murray and is now an AFL-CIO vice president. He paid a glowing tribute to Murray's leadership in the field of civil rights and liberties, the aspect of the late CIO president's work which was particularly stressed in the essay contest.

Union Operation

Meanwhile, at the seventh annual Labor Institute on Human Rights at Boston College, Boston, AFL-CIO Vice Pres. Joseph D. Keenan told some 225 delegates that the labor movement will move into the civil rights field far more aggressively in the future.

"Now that we do not have to give the greatest part of our attention to wages and hours, we must make civil rights a trade union operation," Keenan, who is secretary of the Brotherhood of Electrical Workers and a member of the AFL-CIO Civil Rights Committee, declared.

Helping to bring about equal opportunity for all people, he said, is a natural development of the trade union movement, and "anything that happens to the trade unions in this country will also affect civil rights, so it is important that we tie these two issues together and make them a joint operation."

Break Down Barriers

Keenan spoke of the AFL-CIO civil rights program and added:

"Our international unions recognize their responsibility to act on this program and to break down barriers where they exist. Since discrimination cuts across the economy and affects us too, labor will concern itself with this issue both internally and in the community."

Other speakers who addressed the institute included Victor Reuther, international affairs director of the Auto Workers and Philip Heller of the Jewish Labor Com-

AFL-CIO Names New Civil Rights Chairman

WASHINGTON, D. C.—(NNPA)

George Meany, president of the merged American Federation of Labor and Congress of Industrial Organizations, Friday announced the appointment of Charles S. Zimmerman of New York City as chairman of the AFL-CIO Civil Rights committee.

Zimmerman, vice president of the International Ladies' Garment Workers' Union, succeeds James B. Carey, AFL-CIO vice president and president of the International Union of Electrical Workers.

Mr. Carey resigned as chairman of the AFL-CIO Civil Rights Committee several weeks ago because of the failure of the AFL-CIO executive committee to give the civil rights group adequate authority to deal with complaints of racial discrimination.

His resignation was attributed directly to the complaint of Theodore Pinkston, a colored electrician, which was settled last month after it had been pending for nearly a year.

Pinkston and other colored electricians were unable to get work as electricians in Cleveland because Local 38 of the International Brotherhood of Electrical Workers would not admit them to membership.

Carey said shortly after he resigned that the Pinkston case was the only complaint of racial discrimination that had ever been referred to the AFL-CIO Civil Rights Committee but that he had reason to believe there are a lot more similar cases that have been kept from the committee.

Carey indicated that in the last month he served as chairman of the committee he felt he was being "hamstrung" in his anti-bias assignment.

Carey, who was a member of President Truman's Civil Rights Committee, blamed failure of the committee to take action to lack of cooperation from other AFL-CIO leaders and members of Mr. Meany's staff.

Zimmerman is a veteran leader of the International Ladies Garment Workers' Union. He is also chairman of the anti-discrimination department of the Jewish Labor Committee and is a member of the New York Commission on Inter-Group Relations and chairman of the executive committee of the labor advisory committee of

the New York State Commission Against Discrimination.

Meany announced his appointment after a afternoon and evening conference conducted by the AFL-CIO behind closed doors and attended by more than 100 delegates from affiliated unions and state federations.

The conference was on the question of the best ways and means of putting the non-discrimination policy into practice.

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VICE PRESIDENT NIXON

Nixon's Civil-Rights-Bill Prophecy Falls Before Being Made Public

Washington, Aug. 4 (AP)—Vice-President Nixon's standing as a prophet suffered a jolt today.

In a prerecorded television interview, he went on record with a prediction that the Administration had "enough votes" in the Senate to defeat the jury-trial amendment to the civil-rights bill.

The Senate approved the jury-trial amendment by a 51-to-42 vote early Friday.

What happened was that Nixon was interviewed on film by Representative Keating (R., N. Y.) Wednesday for a program that was not to be released until today.

A transcript of the program also quoted the Vice-President as saying the Republicans have an excellent chance of winning the House in next year's elections but face a "tough fight" for Senate control.

Democrats Now In Control

The Democrats now have majorities in both chambers.

In a separate interview, Senator Smathers (D., Fla.) said Nixon was "overestimating" Republican chances on both counts. He added that the Republicans "will be lucky if they don't lose four Senate seats."

Nixon, who campaigned widely in 1954 when the G.O.P. lost control of Congress, said he intends to take to the airways again next year.

"I will try to do as much as I can because I think it is most important to do what we can to elect a Republican House and Senate in 1958," he said.

Smathers, who heads the Democratic senatorial-campaign committee, said he regards Nixon as "an effective campaigner."

"But he is going to be carrying along a record that doesn't lend itself to easy transportation in a campaign," Smathers said.

"The Administration's tight-money policy, which has adversely affected citizens in almost every walk of life, is enough to sink a lot of Republicans running for the House and Senate."

Nixon defended Eisenhower when Keating said there had been "mounting criticism that the President is not exerting enough leadership" in legislative matters.

"Well," Nixon replied, "you know that's the criticism that has been made of the President from the time he became President. They always say that he does this wrong and that wrong, but he always seems to come out pretty well in the end."

Nixon Role In Jury Tiff Is Attacked

Sen. Johnson Calls Him Propagandist, Uninformed on Bill

By Robert C. Albright
Staff Reporter

Senate Majority Leader Lyndon B. Johnson (D-Tex.) yesterday accused Vice President Richard M. Nixon of conducting "a concerted propaganda campaign" against the jury-trial amendment to the civil rights bill.

He accused the Vice President as the Senate neared final action on the measure. A vote is expected by Wednesday or Thursday. Senate passage, with only Southern Senators voting "No," appeared sure. The Senate has passed the stage where any changes can be made in the bill before it. The bill is subject to revision in a House-Senate conference, however, if the House fails to concur in what the Senate has done.

Johnson said the Vice President "was here for very little of the (civil rights) discussion and I assume knows little about the bill."

Assails "Lecturing"

He said that "any objective person not trying to play politics" knows that the bill as amended by the Senate "represents a substantial advance in the field of civil rights."

What obviously aroused Johnson was a statement issued by Nixon Friday, following Senate approval of the jury trial amendment, that "this was one of the saddest days in the history of the Senate because this was a vote against the right to vote."

Said Johnson: "It is rare when the Vice President starts lecturing a majority of the Senate."

Sen. Joseph C. O'Mahoney (D-Wyo.), one of the leading cosponsors of the jury trial amendment, meanwhile hit back at a reports that Gen. Eisenhower would veto the bill in its present form.

Acceptance Predicted

"Unless it is ruthlessly sabotaged by purely partisan stupidity," said O'Mahoney, "the civil rights bill with the

jury trial amendment will be speedily accepted by both the House of Representatives and the White House."

He termed the bill in its forward step in racial relations that has become possible of achievement since the Emancipation Proclamation. O'Mahoney said the question is: "Shall the civil rights bill be sacrificed to political expediency or shall we take a long step toward equal rights and the solution of the race problem."

The two Democrats went to bat for the jury trial amendment as the Senate neared final action on the measure.

Increasing talk of a possibility of limited House changes, to guard against a presidential veto, gained currency on both sides of the Capitol yesterday. Administration spokesmen have been representing the President as opposed to the bill in its present form, but apparently willing to sign it if a single change is made, conating application of the jury trial amendment to voting rights cases.

In its present form, the amendment extends to all kinds of criminal cases, including labor cases. President Eisenhower, reputedly on advice from the Justice Department, is said to take the position that this would be disruptive of the whole judicial system.

Compromise Feelers Out

Feelers for a sharply restricted compromise narrowing the new jury trial guarantees to cases arising under the

civil rights bill yesterday were being put out in several quarters. The theory is that it might be possible to reach an understanding whereby conferees would limit themselves to this lone change, rather than open the bill to sweeping alterations that would hold it in conference indefinitely.

Sen. Barry Goldwater (R-Ariz.) told the Senate he hopes there is nothing to reports that the bill is "dead." "I can't agree that reasonable and honest men cannot get together and confine the jury trial if necessary to voting," said Goldwater.

Rights Bill Passage Free of Concession Predicted by Nixon

Russell Told No Anti-Dixie Move Afoot

Solon Given Assurance by Ike as Senate Debates 3rd Day

WASHINGTON, July 10 (UP) — Vice President Richard M. Nixon told a group of House Republicans today he expects the Senate to pass President Eisenhower's civil rights bill without making any major concessions to its Southern foes.

Nixon made his prediction after Sen. Richard B. Russell (D-Ga.) said Eisenhower assured him at a 50-minute White House conference that the administration would not use any new civil rights law to launch a "punitive expedition against the South."

As the Senate held its third day of debate on the issue, Nixon discussed the bill's prospects privately with members of the 85 Club, which is composed of first-term Republican House members. Participants relayed his remarks to reporters.

Rep. Edwin H. May Jr. (R-Conn.) the club's secretary-treasurer, said Nixon was optimistic about the fate of the legislation in the Senate. He said Nixon told the group he was determined to get the bill passed, "no matter how long it may take."

Clarify Language

"It was his feeling that the bill would go through without compromise," May said. He said Nixon

believed that the Senate, at most, would adopt only some amendments to clarify the language of the bill.

But Sen. Johnston (D-SC), a leading foe of the bill, also opposed any compromise effort. As he began reading an 800-page speech, he announced that he could not "be an honest man and compromise on principles."

At 6:21 p.m., EST, Johnston agreed to a request by Senate Democratic leader Johnson that he let the Senate recess for the night with the understanding that he would have the floor when business resumes.

The Senate will meet at 9:30 a.m., EST, an hour and a half earlier than usual.

May said he understood Nixon to mean he expected no substantial change in the bill, like the addition of a provision guaranteeing jury trials for Southerners accused of violating civil rights injunctions.

Sen. Joseph C. O'Mahoney (D-Wyo.) has proposed such a provision as the basis for possible compromise in the dispute. The Southerners have made a prime target of the failure of the House-approved bill to guarantee jury trials in civil rights cases.

May said Nixon indicated he looked for a long summer-long fight. If the debate extends through August, Nixon was quoted as saying, he expected the House to recess, pending the outcome of the Senate struggle.

Outlines the Reasons

Russell, the veteran leader of the Southern block, arranged his meeting with the President in order to outline the reasons for his opposition to the administration bill.

Eisenhower said last week that he did not understand all the language of the bill, but that he also did not understand Russell's fears about the administration's proposal.

After his conference, Russell indicated to newsmen that he failed to win any major concession from the President. But he said the President's mind was "not closed" to amendments designed to clarify the bill.

He said the President definitely wants congressional approval of a civil rights bill.

But he said, "I found no intention of purpose on his part to go on any punitive expedition against the South." Russell said he told the President about some implications of the bill that Eisenhower "hadn't considered" before.

As a result of his parley with the President, he said, "We both have a much better understanding of the other's views."

The Senate was not expected to vote until next Tuesday or Wednesday on the motion of Senate Republican Leader William F. Knowland (Calif.) that the Senate actually take up the House-approved bill. Approval of his move was considered virtually certain.

The Senate was then expected to plunge into a long Southern filibuster against the bill itself. Knowland has predicted that the talkathon would last about eight weeks.

As approved by the House, the bill would set up a presidential civil rights commission; establish a civil rights division in the Justice Department; authorize court suits to protect civil rights and provide greater protections for Negro voting rights.

Chided Administration

Before Nixon spoke to the GOP House members, Chairman Emanuel Celler (D-NY) of the House Judiciary Committee, chief sponsor of the House bill, chided the administration for what he called its failure to insist on an unchanged bill.

Celler particularly denounced moves, advanced by some Senate

Republicans privately, to go along with O'Mahoney's proposal for jury trials in civil rights cases.

"There seems to be no fight in the administration," he said. "The President bends with every wind. I can't see a Truman or a Roosevelt — either Teddy or F.D.R. — yielding so pusillanimously."

"We liberal Democrats went out on a limb in fighting for his bill, a limb the administration now would cut off," he said. "Apparently the administration began with a bang and now goes out with a whimper."

On the Senate floor, meanwhile, Sen. John J. Sparkman (D-Ala.) said "it would be a terrible mistake" for the Senate to take up the bill and "create a log-jam of badly needed legislation."

Sparkman belittled arguments that the bill would increase the number of Negroes voting in the South. He said "more Negroes will be at the polls as their general level of education increases."

Nixon Halts Bid To Stall Civil Rights

Montgomery
'Printing Error'
Cited By Russell

In Fight For Time

WASHINGTON, July 9 (AP) — Sen. Russell (D-Ga.) challenged today a ruling by Vice President Nixon that the Senate is debating the correct version of a civil rights bill passed by the House.

After the House passed the bill, a clerical error was made in printing the bill. An amendment was placed on the wrong page, and this erroneous version reached the Senate side of the Capitol.

But Nixon ruled that the mistake had now been corrected in a routine way and there was no need to send the bill back to the House.

At first Russell said he would appeal Nixon's ruling



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The Senate recessed for the day at 6:15 p.m., with an agreement that Sen. Sparkman (D-Ala.) would be the lead-off speaker when the debate resumes Wednesday.

votes to prevail in the present situation. He said he would wait for "a calmer day" to settle the issue, which is intertwined with the Senate rules.

TO PUSH BILL

By the "Knowland - Douglas axis" Russell meant the supporters of Sen. Knowland of California, the Senate's Republican leader, and Sen. Douglas (D-Ill). Knowland and Douglas have joined forces to push for passage of the civil rights bill.

Russell's protest topped an afternoon in which Southern senators launched a fresh attack on the bill—legislation which threatens to involve the Senate in eight weeks or more of clashing debate.

Sen. Ervin (D-C) asserted the bill would make the U. S. attorney general "dictator of all the Southern States," while Sen. Eastland (D-Miss) described the measure as "a slick, devious scheme to bypass the Bill of Rights."

Russell contended that backers of the administration - sponsored legislation were trying to force before the Senate for action an incorrect version of the bill passed by the House June 18. He said the measure should be sent back to the House for correction—a move that would delay Senate consideration.

Knowland asked Nixon, as presiding officer of the Senate, for a ruling on Russell's point.

Nixon explained that a House amendment had been placed on the wrong page of the House bill which was sent to the Senate and read to it twice under the rules. He said a corrected version had been substituted for the original one and ruled that this version now was the one which Knowland has moved to bring before the Senate.

ROUTINE PROCEDURE

He said the Senate had bypassed one of its rules to place the House-passed bill directly on its calendar. He added that the Senate now was being asked to bypass another rule that requires all House bills to be read three times in their correct version before the Senate acts on them finally.

To let a House clerk rectify the error, Russell said, was a "most remarkable" procedure.

This just showed "what difficulties we can get in by ignoring the rules of the Senate," Russell added.

"When you try an expedient to achieve a quick end you soon find that you have to resort to expedient after expedient and soon you are tearing down the whole structure of the rules," he said. Sen. Dirksen (R-Ill), siding with Knowland, said that similar technical corrections of "inadvertencies and enrolling errors are made a hundred times in every session of Congress."

He told Russell that since "nothing was added" and nothing was taken away from the bill as it passed the House, that the Georgia senator was making "a curious argument."

Before today's debate began, Knowland pictured President Eisenhower as receptive to some changes in the bill.

Rights Probers' Bodies Shipped Free In Bill

WASHINGTON, July 9 (AP) — Mentioning possible "bloodshed," Sen. Olin D. Johnston (D-SC) proposed today a civil rights bill amendment under which the government would pay for shipping home the bodies of civil rights investigators who might die in line of duty.

Johnston told reporters he was introducing the amendment partly in tongue-in-cheek spirit. He said it would "provide for homeward shipment of deceased members and employees of the President's Civil Rights Commission at fed-

eral expense."

The bill proposes among other things the creation of a Civil Rights Commission, and Johnston said he presumed members of this group or their staff would visit the South on investigating missions.

"I just want the boys taken care of in case something happens to them," he said. "I hope nothing does. But if they try to act too fast they might cause a lot of bloodshed, some of it their own."

"In the reconstruction days," the senator said, "a lot of carpet baggers went in, and their bodies were sent home."

Move By Nixon Wins Round For Rights Supporters

WASHINGTON — (INS) — Civil Rights advocates won the first round in their Senate battle Tuesday when Vice President Richard M. Nixon ruled that the House-passed bill on its calendar was a valid measure.

Sen. Richard B. Russell (D) Ga., vote on the issue. Russell explained against the ruling but later withdrew it, thus preventing a direct vote on the issue. Russell explained he knew he would be beaten on the move and did not want to set a precedent by forcing a showdown.

DID NOT BAR AMENDMENT

Earlier, President Eisenhower endorsed GOP strategy to keep Congress at work until his civil rights bill is voted on but he did not bar possible amendments to the controversial legislation.

The surprise action on the status of the bill on the Senate calendar was touched off by GOP leader William F. Knowland. Knowland explained that Russell on Monday charged the house-passed bill is not the same one the Senate placed on its calendar last month because of a technical correction that has been made in the meantime.

Nixon in his ruling said that technical corrections are routine and have been made for 50 years. He said the bill Knowland was trying to call up is valid.

AROUND THE CLOCK

Earlier, Knowland in disclosing that the President backs up GOP strategy on the bill but does not bar amendments said he himself may demand the Senate go into around-the-clock sessions late this

week to get a vote on his motion to make the legislation the Senate's pending business.

SKIRMISH

Nixon Rules Against Dixie Challenge

WASHINGTON, July 9 (AP)—Vice President Richard M. Nixon handed a tactical victory to civil rights supporters today by rejecting a Southern challenge to the legality of the measure being considered by the Senate.

Dixie foes of the bill raised the technical point yesterday that the Senate was for a calmer hour and have this considering an erroneous issue settled on its merits" on copy of the civil rights bill some "simpler bill."

They contended that this copy, in which an amendment was misplaced, had been read twice to the Senate and that the corrected version never had been officially received.

But Nixon, asked by Senate Republican Leader William F. Knowland to rule on the issue, held that the correction made in the bill by the House clerk was retroactive. He said such corrections were routine and never had been objected to before.

Sen. Richard B. Russell (D, Ga.), leader of the Southern forces, threatened to appeal the ruling to the Senate but later withdrew his demand for a roll call vote on the question.

"We may rule, we may ride roughshod . . . but the fact remains that this bill has not been read twice," Russell asserted. He said Nixon's ruling amounted to letting a House clerk "substitute for the action of the Senate."

Russell said he did not appeal Nixon's ruling "because I don't want to set a precedent." He said "I know that when the Knowland-Douglas axis springs into action it's got enough votes to rewrite the rules as we go along." He referred to Sen. Paul H. Douglas (D., Ill.).

Russell said he would "wait

said he had not studied it.

Southern foes of the legislation said they would accept the amendment but would continue their fight against the bill itself.

It remained to be seen whether the attempted compromise would have any modifying effect on the struggle.

If so, the second day of debate on the measure gave little evidence of it. The Dixie bloc continued to belabor the bill as an invasion of states rights and a means of making "federal judges the tool of administration policy."

Meantime, Sen. Irving M. Lyles (R., N. Y.) set up a metal cot in his Senate office in anticipation of some long nights at the Capitol before the issue is settled.

Knowland told reporters after attending a White House legislative conference with the President, he would oppose limiting the legislation to voting rights. As passed by the House, the four-point measure would provide new protection for Negro voting rights and also:

Create a bi-partisan commission to study alleged civil rights violations; establish a civil rights division in the Justice Dept.; authorize the government to seek injunctions or other court action to prevent threatened violations.

Knowland said he told Mr. Eisenhower the battle over the measure could run "four, six or eight weeks" or longer. He said the President understands that some other parts of his legislative program may die as a result.

The GOP leader said the important thing now was to get a vote on his motion to take up the bill in the Senate. He said Southern senators indicated they would not subject the motion to "the same kind of extensive debate" they planned against the bill itself.

Democratic Leader Johnson said the immediate objective was "to insure fairness and thoroughness," giving both sides "the full right to present their viewpoints in full."

The Senate's first quorum call was asked at 1:10 p.m. today and Johnson got unanimous consent to recess until 2 p.m. because the weekly lunch meeting of GOP senators was late breaking up.

Johnson served notice that Senate subcommittees would not be granted the special permission that would enable them to meet during the civil rights debate.

The Senate finally got around to actually debating

civil rights at 2:22 p.m. (EDT), when Sen. William Fulbright (D., Ark.) took the floor to denounce the bill's lack of provision for a jury trial.

Fulbright also took after advocates who contend the bill is mainly aimed at guaranteeing the right to vote.

"The Constitution does not provide at any place that every citizen should have the right to vote," The Arkansas Democrat said. In fact, he said, few of the nation's earliest leaders "believed in universal suffrage."

Fulbright said "I personally have no objection to universal suffrage, but it is by no means a panacea."

Sen. John Sparkman of Alabama charged in a speech that the bill would make federal judges the tool of administration policy. He referred to the provision allowing judges to sentence violators of civil rights injunctions without a jury trial.

"For the first time, an American President is asking Congress to do away with juries, in order to make trials end in the convictions desired by the administration," Sparkman said.

CHALLENGE ON CIVIL RIGHTS BILL HELD UP

Wed. 7-10-57
Nixon Rules Mistake in

Bill Was Corrected

By WILMOT HERCHER

WASHINGTON, July 9 (AP)—Sen.

Russell (D-Ga.) challenged today a ruling by Vice President Nixon that the Senate is debating the correct version of a civil rights bill passed by the House.

After the House passed the bill, a clerical error was made in printing the bill. An amendment was placed on the wrong page, and this erroneous version reached the Senate side of the Capitol.

But Nixon ruled that the mistake had now been corrected in a routine way and there was no need to send the bill back to the House.

At first Russell said he would appeal Nixon's ruling to the Senate itself and demand a roll call vote, but later he withdrew his point of order against the ruling.

'Knowland-Douglas Axis'
Russell explained he knew "the Knowland-Douglas axis" had the votes to prevail in the present situation. He said he would wait for "a calmer day" to settle the issue, which is intertwined with the Senate rules.

By the "Knowland - Douglas axis" Russell meant the supporters of Sen. Knowland of California, the Senate's Republican leader, and Sen. Douglas (D-Ill). Knowland and Douglas have joined forces to push for passage of the civil rights bill.

Russell's protest topped an afternoon in which Southern senators launched a fresh attack on the bill—legislation which threatens to involve the Senate in eight weeks or more of clashing debate.

Ervin, Eastland Attack
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before the Senate for action an incorrect version of the bill passed by the House June 18. He said the measure should be sent back to the House for correction—a move that would delay Senate consideration.

Knowland asked Nixon as presiding officer of the Senate, for a ruling on Russell's point.

Placed on Wrong Page
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He said a corrected version had been substituted for the original one and ruled that this version now was the one which Knowland has moved to bring before the Senate.

The Senate recessed for the day at 6:15 p.m., with an agreement that Sen. Sparkman (D-Ala) would be the leadoff speaker when the debate resumes tomorrow.

Before today's debate began, Knowland pictured President Eisenhower as receptive to some changes in the bill.

'Routine,' Nixon Says
Nixon said this was "routine" procedure in correcting errors in bills. But he conceded that the validity of such procedure never had been passed upon previously by the Senate's presiding officer. Russell complained that the Senate was permitting a House clerk who enrolls bills to take over the Senate's duties.

Russell Raps 'Expedients'
He said the Senate had bypassed one of its rules to place the House-passed bill directly on its calendar. He added that the Senate now was being asked to bypass another rule that requires all House bills to be read three times in their correct version before the Senate acts on them finally.

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pedient after expedient and soon you are tearing down the whole structure of the rules," he said.

Dirksen Backs Knowland
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He told Russell that since "nothing was added" and nothing was taken away from the bill as it passed the House, that the Georgia senator was making "a curious argument."

The Senate GOP leader told reporters President Eisenhower hasn't closed the door to 'clarifying' amendments to the legislation.

"The bill may need some additional clarification," Knowland said. "I have not closed my mind against changes in it. If it goes beyond what was intended, then it will be up to the Senate to change it. But the Senate cannot consider such changes until it gets the bill actually before it."

President Keps Hands Off
Knowland moved yesterday to make the bill the Senate's pending business. If a vote on this motion is not in sight by Thursday, the Californian said, he and his supporters may try to force the Senate into round-the-clock sessions to speed up a decision.

Southern Democrats are determined to fight the civil rights measure as long as possible, and a bitter filibuster is in prospect. Sen. Russell, the captain of the Southern forces, has said he would like to see the bill amended but also wants to have it killed outright.

Knowland and other Republican leaders discussed the situation with Eisenhower at their regular Tuesday White House conference. Knowland reported the President is taking a hands-off attitude toward possible Senate action to soften the terms of the legislation, which was passed by the House June 18.

'Vicious,' Southerners Say
"It has never been the President's attitude that when a measure is before Congress there should not be any clarifying amendments to it," he said.

In their attacks on the legislation, Southerners have called it "vicious," "most drastic" and "indefensible." Their principal ob-

jection is against a section which would give the attorney general broad powers to obtain federal court injunctions to halt or prevent civil rights violations. Any persons violating the injunctions could be jailed or fined by the judge without a jury trial.

Knowland said he told Eisenhower the current civil rights debate in the Senate may drag on for four to eight weeks and possibly longer. He said the President is fully informed as to what this will mean in respect to other administration legislation.

There certainly will be Senate action on other bills after the civil rights issue has been disposed of, Knowland said, but it is still likely that some administration measures may have to put in cold storage until next year.

Eight Weeks' Debate Hinted
While the current debate may last longer than eight weeks, Knowland said "I don't think it will."

He said Eisenhower inquired about how long it might take to reach a vote on the bill and, when given the estimate, declared in effect it would be all right with him. "this threat of the use of force" The Senate leader quoted the President as saying "he was going to be here" in Washington—that he lives here and would be on hand.

In reply to questions, Rep. Marston of Massachusetts, the GOP leader in the House, said there is a possibility the House might recess after concluding its legislative business if the Senate is still tied up on civil rights. He added he saw no reason why the President shouldn't get away for a vacation, too, if that situation develops.

Knowland said he hopes for a vote by Saturday on his motion to bring up the bill.

'Will Review Situation'
"We will review the situation Thursday," he continued. "I hope that the sessions will lengthen out but I hope it will not be necessary to go around the clock."

"It will present a serious problem, however, if the vote on the motion is delayed beyond this week. It seems to me a week's time is a reasonable period in which to get a bill before the Senate for a discussion of its merits." The first formal speech against the bill today was made by Sen. Fulbright (D-Ark), who held the

floor for an hour and 47 minutes.

Just before he finished, Fulbright made "a special appeal to the news agencies to elucidate this bill" and to give it "unusually accurate and very careful" coverage.

Full Report on Debate Urged
"If ever the press, radio and television should report a debate full, fairly and impartially, it is this debate," he said, adding that only in this way could the country "understand the full implications" of the bill.

Fulbright said he believed such full coverage and prolonged Senate debate had defeated unwise legislation such as "the courtpacking plan" of the late 1930's.

Ervin told Fulbright that history showed a Republican administration had called out troops and sent them into the South to garrison cities, including, the North Carolinian said, "my home town."

Fulbright agreed this had happened in reconstruction days after the War Between the States. Sen. Bush (R-Conn) asked southern opponents of the bill to pinpoint for him how it contained "this threat of the use of force" they complained about.

Eastland Cites U.S. Code
Eastland replied that Section 1993 of the U.S. Code authorizes the president to employ the nation's armed forces to enforce court orders such as the attorney general would be authorized to seek to protect civil rights.

Sen. Javits (R-NY), joining in the debate, said this section of the code already is part of the law and "whatever is in the law is there." He said the bill would add nothing to do it.

However, Ervin said the attorney general is not now empowered to obtain injunctions against civil rights violations.

Eastland said that under the bill a person who failed to notify the attorney general of any conspiracy to deprive anyone of civil rights would be subject to damage suits.

He said that if a newsman or newspaper had such information and declined to tell the attorney general, the armed forces could be called out by the president "to enforce judgment against the newspaper."

Nixon In Civil Rights Plea

News & Observer
ASHEVILLE, June 5 (UP)—
Vice President Richard M. Nixon tonight urged white and Negro community leaders in the South to "assume personal responsibility for removing the causes of racial prejudice."

"We must not leave this field to the extremists," he said in a speech prepared for delivery before the annual convention of the General Federation of Women's Clubs.

Nixon endorsed the President's four-point civil rights program on which the House is scheduled to begin formal debate in Washington tomorrow. But he added:

"It may take decades to achieve equality of opportunity for our Negro citizens if we rely on law alone. And that type of struggle in turn could leave a legacy of bitterness which would poison our nation and hurt our prestige abroad."

The vice president, who toured the newly-independent nations of Africa in March, added that the future of the world will be decided by how the 700 million non-whites of the neutral nations of Africa and Asia line up in the cold war.

While calling for passage of "the moderate civil rights bill now before Congress," Nixon said that "even necessary laws tend to provoke the extremists on both sides."

Therefore, he said the challenge must be met by community leaders of both races by using "moderate and constructive action" to relieve racial tensions.

In emphasizing the importance of the outcome to U. S. foreign policy, Nixon said the peoples of Africa and Asia want equal dignity as individuals and nations more than anything else.

The outcome of the civil rights dispute in this country, he said, will influence them in deciding whether they can best hope for this from the free world or the Communist dictatorship.

PHILADELPHIA, July 4 (AP)—
Undaunted by Vice-President Richard M. Nixon's forecast that Federal school aid is virtually dead for this year, National Education Association leaders told their members today "we have not yet begun to fight."

James L. McCaskill, N. E. A. legislative director, said in an N. E. A. convention floor speech "I think the Vice-President made a mistake."

A bill calling for \$1,500,000,000 in school-construction assistance to states over five years is now waiting clearance for debate in the House before going on to the Senate.

Mr. Nixon told the educators in a speech last night: "There is at best a 50-50 chance that the bill will pass the House during this session. There is virtually no chance that it will pass the Senate before adjournment." He said, however, he believed the bill has a "better than 50-50 chance" of final passage next year.

Sees Gain for Bill

"There was a time when the bill had no better than a 50-50 chance in the House," Mr. McCaskill said. "But our surveys show its chances have been steadily improving and are now better than 50-50...."

"I think the Vice-President made a mistake in saying that there is virtually no chance it will pass the Senate this year. It does have little chance, but still a chance."

In any case, however, he predicted, the bill will become law next year.

Mr. McCaskill renewed a plea to delegates to shower their Congressmen with phone calls and telegrams calling on them to approve the bill.

The convention voted to send President Eisenhower a telegram, the second this week, urging him to "continue to fight for immediate passage" of the school aid bill. Mr. Nixon last night read a message from the President in which he said he was "deeply anxious" the House act soon.

Teachers
Herald Tribune
To Fight for
N.Y. 7-5-57
School Bill
New York
Dispute Nixon
7-9
On Its Chances

Aid Dixie Democrats in Senate

By LOUIS LAUTIER

WASHINGTON (NNPA) — Clasp hands in the traditional unholy alliance with unreconstructed Dixiecrats, 28 right-wing Republicans Friday were successful in scuttling the move to end Senate filibusters.

Despite a favorable ruling by Vice President Richard M. Nixon, the move to make it possible to end debate on civil rights or any other subject was defeated.

The vote was 55 to 38.

It occurred on the motion of Senator Lyndon B. Johnson of Texas, to table the motion of Senator Clinton P. Anderson, (D., N.M.), and 30 other Senators that the Senate proceeded to adopt new rules.

The sponsors of the Anderson motion showed additional strength over a similar test limit debate was increased four years ago. In 1953, a similar proposal was tabled by a vote of 79 to 21.

ACTUAL STRENGTH of those advocating adoption of new rules is 41 votes. But three supporters were absent when the roll-call vote was taken Friday.

They were Senator Matthew Neely, (D., W. Va.), who was wheeled into the Senate Thursday to vote with the Democrats to organize the Senate; Senator Alexander Wiley, whose absence was unexplained, and Senator-elect Jacob K. Javits. Mr. Javits has not yet taken the oath of office, but he was here Thursday to do so if it appeared that the vote on cloture (shutting off debate) would have been close. He is continuing as Attorney General of New York State until the General Assembly convenes and names his successor.

IF HE RESIGNED before then, Governor Averell Har-

man would name a Democrat to succeed him as Attorney General of New York State.

During the debate on the motion to table, sponsors of the motion to adopt new rules emphasized the constitutional provision that "Each House may determine the rules of its proceedings."

Under a 167-year old custom, rules of the Senate have continued from one Congress to another.

Opponents of the move to adopt new rules for the Senate of the 85th Congress argued that the Senate is a continuing body and its rules are continuing but may be changed under the procedure set out in existing Senate rules.

The existing cloture rule, adopted in 1949, requires 64 affirmative votes, or the votes of two-thirds of the entire Senate membership, to limit debate on pending business, but cloture may not be applied to any motion to change the existing Senate rules.

FILIBUSTERS under this rule have been carried on by Southern Senators chiefly to block civil rights legislation.

Prior to 1949, debate could not be limited on a motion to take up any bill or resolution. It was to correct this defect that the present rule was adopted, but the vote requirement to limit debate was increased from a two-thirds vote of Senators present and voting to the 64-vote requirement.

Cloture was first adopted in 1917 after a bill to arm American merchant ships had been defeated by a filibuster. If the Johnson motion had been defeated, the Senate would then have taken up the question of adopting new rules.

DURING THE debate, Vice President Nixon, the presiding officer, was asked by Senator Hubert Humphrey, (D., Minn.), for an opinion on the right of the Senate to adopt new rules at the beginning of each new Congress.

In an unprecedented opinion, Nixon said the Senate is entitled to change its rules by majority vote at any time and is not bound by the rules of a

previous Congress. If the Senate does not act, the rules of a previous Congress remain in effect, he said.

HE RULED that the provision in Rule 22 (cloture) exempting from any limitation of debate a proposal to change the rules was, in his opinion, unconstitutional, but emphasized that constitutionality of the rules can be determined only by the Senate itself and not by the presiding officer.

Nixon's statement was only an opinion and had no binding effect upon the Senate. The unanimous agreement governing debate on the Johnson motion precluded a binding ruling by the Vice President.

But his opinion gave comfort to the anti-filibuster forces. It apparently, however, did not swing enough Republican votes against the motion to table.

Southern Senators carefully refrained from mentioning the civil rights issue during the debate. Instead they emphasized the tradition of unlimited debate which has prevailed in the Senate, in contrast with the House where debate is severely limited.

OPENING THE debate, Senator Anderson declared that "no Congress, and no House of the Congress, can tie the hands of future Congresses, or future Houses of the Congress."

Senator Anderson and other sponsors of the motion to adopt new rules insisted throughout the debate that the question of whether or not the Senate is a continuing body had nothing to do with its right to adopt new rules at the beginning of a new Congress.

It is unfortunate that the question of changing Senate rules has become entangled with civil rights, Senator Irving M. Ives, Republican, of New York, declared, adding:

"It is vitally important that this Nation assure to every one of its citizens the effective exercise of his civil rights. And it is true that the Congress is powerless to provide that assurance as long as the Senate is hobbled by Rule 22 in its present form."

SENATOR RICHARD B. RUSSELL, (D., Ga.), who has engaged in several filibusters against civil rights legislation, accused the press of "sloppy and, indeed biased reporting, which has seemed to be almost

a conspiracy to create the impression throughout the country that nothing was involved in the question before the Senate other than Rule 22 of this body, and legislation which, in many cases, has been euphemistically labeled 'civil rights bills.'"

Russell argued that the Senate is a continuing body. "If I were in favor of majority rule of the Senate, and if I favored the so-called civil rights legislation," he said, "I could not, in view of the respect which I have for the Constitution, accept the proposal that the Senate is not a continuing body."

Senator Leverett Saltonstall, (R., Mass.), supported the motion to table, but said he hoped to be able to vote on sound civil rights legislation.

The "simple fundamental issue," said Senator Thomas H. Kuchel, (R., Calif.), was whether the Senate approves filibusters.

"Shorn of all legalistic argument," he said, that was what the Senate was to decide.

SENATOR HUMPHREY said what the Senate was debating

was "the civil right of every member of the Senate to have something to say about the rules of procedure under which we are living and conducting our business."

Senator Everett M. Dirksen, who voted to table the Anderson motion, criticized the proposal as opening up all Senate rules to modification.

"I do not want to see the Senate engaged in a rule-making controversy while the President's program in these anxious hours is set aside," he said. "I think a filibuster on civil rights can be broken when the time comes."

As chairman of the platform committee at the 1956 Republican national convention, Senator Prescott Bush, of Connecticut, said "I personally feel a strong sense of responsibility to help implement by law the plank on civil rights which I supported and which we adopted in San Francisco."

SENATOR H. ALEXANDER SMITH, (R., N.J.), said he feels strongly that the Senate in each new Congress should control its own rules. "New Senators should certainly be entitled to a voice in what the rules should be," he said.

Senator Paul Douglas, (D.,

Ill.), told the Senate that colored people are intimidated from voting and discriminated against not only in the South but in other sections of the country.

"The vast majority of people in the United States have decided to right these wrongs," Douglas said, adding: "They realize that racism is ultimately incompatible with a free society."

Douglas said the filibuster makes it "virtually impossible to pass meaningful civil rights legislation," even though a vast majority of the American people may favor it.

SENATOR WAYNE MORSE (D., O.), declared that the cloture rule "has been used as the refuge of reaction against the steadily growing, deeply rooted American belief in fair play and equality."

Senator William F. Knowland, of California, the Republican Senate leader, supported the position of Senator Johnson. He said if the motion to lay on the table was defeated, "a jungle" would be created and the Senate would be without any parliamentary rules under which to proceed.

Replying to Knowland, Senator Anderson said the House on Thursday walked into the "jungle," about which the minority leader was talking, "and 30 seconds later marched out intact." He added that "The House had adopted rules, just as the Senate can."

IN ACCORDANCE with a unanimous consent agreement, adopted Thursday, the Senate voted at 6 p.m. Friday on the motion to table.

Before he offered the motion to table the Anderson motion, Senator Johnson proposed a unanimous consent agreement.

The agreement was submitted by Johnson on behalf of himself, Anderson and Knowland. It provided that debate would be in order on the motion to table and that at 6 p.m., Friday, the Senate would vote on the motion to table.

Without such an agreement, the motion to table would have cut off all debate.

The time for debate was equally divided between those favoring the motion to table and those opposing it. Johnson was in charge of the time for those favoring the tabling motion. Anderson controlled the time for its opponents.

THE AGREEMENT also provided that parliamentary inquiries could be made during the debate but the time used in making such inquiries would be charged against the side using the time.

But the time of the presiding officer in answering such inquiries was to be charged equally to both sides.

Morse attacked the procedure. He said the filing of the motion to table meant that again in this session of Congress "the Senate will not face up to the question of whether or not it may adopt new rules."

It seemed to him, Morse said, that the only way Congress can get the question determined was to have a point of order raised against the Anderson motion.

THAT WOULD have brought a ruling from Nixon, from which an appeal could have been taken, and then the issue could have been met "directly and not by parliamentary tactics of a motion to lay on the table," Morse said.

Johnson insisted that the issue could be met on the motion to table. He said Morse was aware of the problems confronting the Senate with a message coming from the President on the Middle East situation.

The unanimous consent agreement, Johnson said, gave ample time for debate and fixed a definite time for a test vote.

10 1957

Nixon Backs Rights-Bill Supporters By Rejecting Southern Challenge

Objection Based On Copy Error

From Wire Dispatches

Washington, July 9. — Vice-President Nixon handed a tactical victory to supporters of the civil-rights bill today by rejecting a Southern challenge to the legality of the measure being considered by the Senate.

Southern foes of the bill raised the technical point that the Senate was considering an erroneous copy of the civil-rights bill approved by the House.

They contended that this copy, in which an amendment was misplaced, had been read twice to the Senate and that the corrected version never has been officially received.

Nixon was asked by Senate Republican Leader Knowland of California to rule on the issue.

The Vice-President held that the correction made in the bill by the House clerk was retroactive. He said such corrections were routine and never had been objected to before.

Senator Russell (D., Ga.), leader of the Southern forces, threatened to appeal the ruling to the Senate but later withdrew his demand for a roll-call vote on the question.

Russell complained that the Senate was permitting a House clerk who enrolls bills to take over the Senate's duties.

Says Rules Endangered

He said the Senate had by-passed one of its rules to place the House-passed bill directly on its calendar. The Senate now was being asked, he added, to bypass another rule that requires all House bills to be read three times in their correct version before the Senate acts on them finally.

To let a House clerk rectify the error, Russell said, was a "most remarkable" procedure.

"When you try an expedient to achieve a quick end you soon find that you have to resort to expedient after expedient and soon you are tearing down the whole structure of the rules," he said.

Senator Dirksen (R., Ill.), siding with Knowland, said that similar technical corrections of "inadvertencies and enrolling errors are made a hundred times in every session of Congress."

Russell said he would not appeal Nixon's ruling "because I don't want to set a precedent."

To Await 'Calmer Hour'

"I know that when the Knowland-Douglas axis springs into action it's got enough votes to rewrite the rules as we go along," Russell said. He referred to Senator Douglas (D., Ill.).

Russell said he would "wait for a calmer hour and have this issue settled on its merits" on some "simpler bill."

Knowland told reporters today that President Eisenhower was receptive to some changes in the civil-rights bill, which threatens to tie up the Senate for eight weeks or more.

"The bill may need some additional clarification," Knowland said. "I have not closed my mind against changes in it. If it goes beyond what was intended, then it will be up to the Senate to change it. But the Senate cannot consider such changes until it gets the bill actually before it."

May Seek 24-Hour Sessions

Knowland moved yesterday to make the bill the Senate's pending business. If a vote on this motion is not in sight by Thursday, the Californian said, he and his supporters may try to force the Senate into round-the-clock sessions to speed up a decision.

Russell has said he would like to see the bill amended but also wants to have it killed outright.

Knowland and other Republican leaders discussed the situation with Eisenhower at their regular Tuesday White House conference.

Knowland reported the President is taking a hands-off attitude toward possible Senate action to soften the terms of the legislation, passed by the House June 18. But he added:

"It has never been the President's attitude that when a measure is before Congress there should not be any clarifying amendments to it."

Bill Called 'Vicious'

In their attacks on the legislation, Southerners have called it "vicious," "most drastic," and "indefensible." Their principal objection is against a section that would give the attorney general broad powers to obtain federal-court injunctions to halt or prevent civil-rights violations. Any persons violating the injunctions could be jailed or other state-or perhaps even a fine by the judge without a jury trial.

Knowland said he told Eisenhower civil-rights debate in the Senate may drag on for four to eight weeks and possibly longer.

He said Eisenhower inquired about how long it might take to reach a vote on the bill and, when given the estimate, declared in effect it would be all right with him.

Appeals to News Agencies

The first formal speech against the bill today was made by Senator Fulbright (D., Ark.), who held the floor an hour and 47 minutes.

Just before he finished, Fulbright made "a special appeal to the news agencies to elucidate this bill" and to give it "unusually accurate and very careful" coverage.

"If ever the press, radio, and television should report a debate fully, fairly and impartially, it is this debate," he said, adding that only in this way could the country "understand the full implications" of the bill.

Fulbright said he believed such full coverage and prolonged Senate debate had defeated unwise legislation such as "the court-packing plan" of the late 1930's.

Fulbright, a former educator, said speeches pointing out defects in the bill actually have had "a very good and effective educational effect."

He said the Constitution, in four different places, sought to guarantee the right of trial by jury, and that Congress is being asked to give up this right for the South in order to guarantee the right to vote for a limited number of people.

"Personally, I have no objection to universal suffrage," Fulbright said, "although it is not a panacea."

VICE PRESIDENT NIXON

bright said, "although it is not a panacea."

Say Negro Vote Increasing

Fulbright said there had been a tremendous increase in voting by Negroes in the past 10 years.

"I know of no concentrated effort (in Arkansas) to prevent their voting," Fulbright said.

In Arkansas, he said, there has been "an increasing participation by the Negro population to the point where, I dare say, today as high a percentage of the Negro population votes in our elections as is the case with the white population of any state—or perhaps even a higher percentage."

10 1957
Nixon Lends a Hand

Civil Rights Backers Win Senate Skirmish

By Robert C. Albright
Staff Reporter

Senate civil rights forces, with a parliamentary assist from Vice President Richard M. Nixon, yesterday won an opening procedural skirmish in their all out drive to pass a civil rights bill.

Nixon ruled that the House-passed Administration measure now before the Senate is a "valid" bill, despite protests by Southerners that a House clerical error clouded the legality of the legislation.

Senate Republican Leader William F. Knowland (Calif.) opened the way for the ruling by addressing a parliamentary inquiry to Nixon, requesting that he clarify the point.

It was the second time in three weeks that Nixon and Knowland, reputed rivals for the 1960 GOP presidential nomination, had teamed up on a civil rights move. They had similarly worked together last month when the Senate bypassed its Judiciary Committee and placed the House bill directly on the Senate calendar.

Russell Challenges Ruling

Sen. Richard B. Russell (D-Ga.) bitterly challenged the ruling with a point of order, and said he would demand a roll call vote of the Senate on the question.

He later withdrew the point of order, however, saying he "knew how the presiding officer would rule."

"I know the Knowland-Douglas axis has enough votes to rewrite the Senate rules as we go along," Russell added.

He was alluding, of course, to the new alignment of Republicans and liberal Democrats, headed by Knowland and Sen. Paul Douglas (D-Ill.) which now commands a Senate majority on most civil rights issues.

The parliamentary row broke near the close of the second day of debate on Knowland's motion to call up the

House-approved civil rights bill.

At a press conference earlier in the day Knowland, in effective command of the new coalition, said he will decide Thursday whether he will seek to invoke cloture (debate shut-off procedure requiring 64 Senate votes) or resort to prolonged sessions to get motion to a vote.

Knowland hinted that both President Eisenhower and himself, as GOP floor leader, might be receptive to some "clarifying" changes in the Administration bill, but said his first concern is to get the bill actually before the Senate for consideration.

"The bill may need some additional clarification," said Knowland. "I have not closed my mind against changes in it. If it goes beyond what was intended, then it will be up to the Senate to amend it. But the Senate cannot consider such changes until it gets the bill actually before it."

Senate Democratic Leader Lyndon B. Johnson (Tex.) said he does not believe the Senate will be "stampeded into taking hasty action in advance of full understanding."

"As far as I am concerned, the immediate objective is to achieve fairness and thoroughness," said Johnson. "As long as we are fair and thorough, I believe that ultimately we will arrive at constructive achievement."

The parliamentary hassle over the validity of the bill actually got under way Monday. At that time, Rep. Howard W. Smith (D-Va.) in the House and Russell in the Senate, contended the Senate had on its calendar an erroneous copy of the bill mesaged over from the House. Russell challenged the Senate's right to now substitute a so-called

VICE PRESIDENT NIXON

"star print" containing the corrections made by House clerks. He said this by-passed the Senate's Rule 14, and substituted the action of a House clerk for the action of the Senate.

Nixon ruled that technical corrections of this nature are "routine" in the Senate, and have been made in this manner for 50 years.

For the most part, however, the second day went smoothly enough for all concerned. So leisurely was the debate that Senate Majority Leader Johnson moved for a 40-minute recess at mid-day. So many Republicans were attending a GOP Policy Committee luncheon at that time that the Senate lacked a quorum.

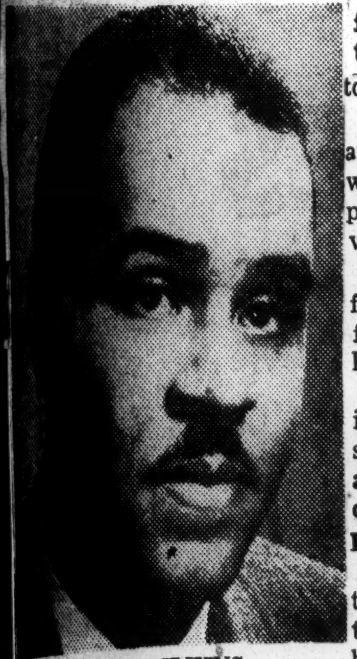
After lunch, Sen. J. William Fulbright (D-Ark.), one of the Southern moderates, led off for the Dixie contingent. Fulbright told the Senate it will be making a "bad bargain" if it traded the right to trial by jury for the right to vote.

Fulbright denied that the right to vote is an "inalienable" right, guaranteed to all by the Constitution, and by implication questioned its wisdom.

"I have no objections to universal suffrage, but it is not a panacea," said Fulbright. "Hitler used to boast that he could get 99 per cent of all the votes..."

Labor To Participate In Mass Protest Rally

WASHINGTON — A prayer pilgrimage for freedom protesting mounting injustices in the South and possible passage of civil rights legislation for the first time since



ROY WILKINS

Reconstruction brought 75 of the expression of our determination to nation's most prominent Negroes see justice and morality prevail leaders here to plan ways of bring-seems to us an historic necessity. "Your counsel is of utmost im-

Co-chairmen of the all-important portance in making the necessary meeting Friday at Metropolitan plans for the observance."

Meeting Friday at Metropolitan plans for the observance. NAACP executive secretary; Dr. for 20,000 ministers representing Martin Luther King, of Mont-all faiths, along with some 100,000 primary, Ala., and A. Philip Ran- persons to meet at the base of the AFL-CIO vice president Lincoln Memorial here to dedicate and president of the Brotherhood and reaffirm their allegiance and loyalty to the Constitution and pledge support to impending Congressional civil rights legislation

The pilgrimage to Washington planned by these leaders is ex-

posed to draw some 100,000 Ne-

gatives to the Nation's Capital on

May 17, third anniversary of the

U.S. Supreme Court de-

mandate against racially segregated

Following White House refusal to intervene in the Dixie racial disturbances, Southern leaders from some 40 communities issued a mandate on Feb. 14 for a prayer pilgrimage to Washington.

The meeting on Friday was a follow up to this mandate and gave top Negro leaders an opportunity to plan it.

Among those from Chicago who attended the planning conference was Eugene Frazier, international president, United Transport Service Employees Union.

Frazier hurried to the conference in reply to a telegram from Dr. King, Randolph and Wilkins which stated in part:

"Supremacy of law and order increasingly endangered. Widespread terror is visited upon law-abiding citizens, clergy and churches.

DEFIANCE CITED

"There is outright defiance of the courts and threat to the spiritual fibre of the nation and the breakdown of morality . . . in this context dignified massive public

expression of our determination to see justice and morality prevail

seems to us an historic necessity. "Your counsel is of utmost im-

portance in making the necessary plans for the observance."

Frazier said tentative plans call for 20,000 ministers representing

all faiths, along with some 100,000 persons to meet at the base of the

Lincoln Memorial here to dedicate and reaffirm their allegiance and

loyalty to the Constitution and pledge support to impending Congressional civil rights legislation

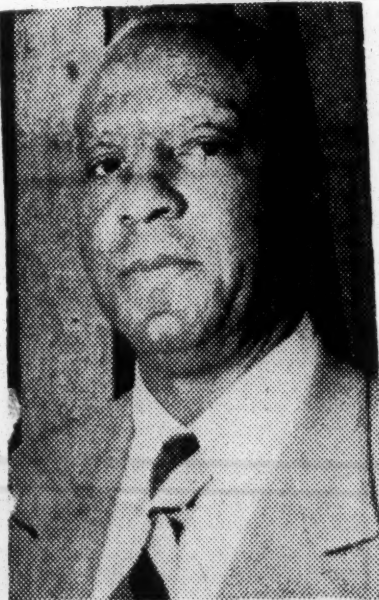
Frazier said an estimated operating budget of \$20,000 was presented to the conference to

cover expenses of the pilgrimage. Some \$13,000 was pledged during the meeting, while \$6,000 was col-

lected in cash and checks. Randolph who presided, declared: "As the founding Americans prayed for strength and wisdom in the wilderness of a new land,



MARTIN KING



A. PHILLIP RANDOLPH

as the slaves and their descendants prayed for emancipation and human dignity, as men of every color and clime in time of crisis have sought Divine guidance, so we now, in these troubled years, call upon all who love justice, dignity and liberty, who love their country, and mankind, to join in a prayer pilgrimage to Washington on May 17.

"We shall renew our strength, communicate our unity and rededicate our efforts to the attainment of freedom."

ected in cash and checks. Randolph who presided, declared:

"As the founding Americans prayed for strength and wisdom in the wilderness of a new land,

10 1957

"Eisenhower Kept His Word . . ."

Journal + Guide P. 9

Powell Says Rights Bill

Lat. 9-7-57 Norfolk, Va.

Vindicates His Backing Ike

WASHINGTON — Passage of the civil rights bill was cited this week by Rep. Adam Clayton Powell Jr. (D.-N. Y.) as complete vindication of his leaving the ranks of the Democratic Party to support President Eisenhower in the 1956 Presidential election.

In a cable from Berchtesgaden, Germany, where he is on an inspection tour, Rep. Powell stated that Mr. Eisenhower "kept his word 100 per cent." He also endorsed the campaign for more voters in the South and urged Negroes generally not to ally themselves specifically with any party, but to concentrate on the issues and the candidates.



REP. POWELL
Praises President

nal for the North to register now as never before. On Sept. 17, 1957, I am returning to the United States to exert all effort toward such registration.

"IT IS TIME now for the big city northern Democrats to do some soul-searching."

REP. POWELL'S statement follows: pro-Stevenson Senators, both North and South.

"My congratulations also go to Representative Emanuel Celler for his leadership in the fight for a meaningful Civil Rights bill at this session of Congress. I am proud to have campaigned for one who has kept his word to me. After 80 years of political slavery, this is the second emancipation."

"On October 11, 1956, President Eisenhower promised me, first, he would call for this bill in his State of the Union message; second, he would spell it out specifically; third, his Attorney General would press for early consideration of the bill; fourth, his Congressional leaders would fight for early passage."

"Negroes must not ally themselves with or think in terms of either party, but should concentrate on the issues and the position of the candidates in relationship to these. This should be the signal to weaken the bill of

"I ENDORSE 100 per cent Martin Luther King's registration drive in the South to place on the books one million Negro voters. I will assist him by sending in expert political workers to aid in this effort. I, personally, will come South anywhere and at anytime as needed as I did to spark the Montgomery bus boycott."

REP. ADAM CLAYTON POWELL

Powell Charges Deal Gutted Rights Bill

World-Telegram + Sun
Aug. 8-13-57 P. 4
By LARRY COLLINS,
New York United Press Staff Writer.

ROME, Aug. 13.—Rep. Adam Clayton Powell (D., N. Y.) hinted today that a deal between Southern Democrats and Pacific Northwest liberals over the Hells Canyon Dam project was behind Senate "emasculatation of the civil rights bill."

Mr. Powell, in an interview with the United Press, called for a Presidential veto of the bill to save civil rights from "25 years of legislative limbo." "The present civil rights bill, with the jury trial amendment, will be worthless in the Deep South," he said.

"It looked to me," said Mr. Powell, vacationing in Europe to recover from this third heart attack, "like the payoff on civil rights came on the Hells Canyon project."

"For years," he said, "that has been a pure pork barrel deal for the Pacific Northwest. And the Southerners have fought it to a man."

"Civil rights got the coup de grace when six liberals, the Pacific Northwest Senators plus Kennedy (John F. Kennedy—D., Mass.) and Kefauver (Estes Kefauver—D., Tenn.) voted against Knowland (William F. Knowland—R., Calif.) on the move to bypass the judiciary Committee and put the bill on the Senate floor right away."

"Just six days later," he said, "Hells Canyon got by the Senate—this time with, for the first time in history, six Southern Senators voting for it. And who led them? Eastland himself. (James O. Eastland—D. Miss.)."

Reed Heads U.S. Panel On Rights Ex-Justice And Five Appointed

By The Associated Press

WASHINGTON, Nov. 7.—

President Eisenhower today

named Stanley F. Reed, retired

Supreme Court justice, to be

chairman of the new Civil

Rights Commission.

Mr. Reed, 72, was one of the

nine members of the new

commission named by President

Eisenhower in August. The

commission will have a

full-time staff director to be

appointed by the President and

confirmed by the Senate. A

selection for that position has

not yet been made.

By law, the commission is

empowered to investigate alle-

gations of denial of voting

rights, and to collect general

information on denial of equal

protection of the laws.

The commission also has

subpoena power and is author-

ized to hold open or closed

hearings. It is required to sub-

mit a final report and recom-

mendations to the President

not later than August 1, 1959.

Each commission member is

to be paid \$50 a day for each

day he puts in on commis-

sion duties, plus \$12 a day for sub-

sistence. The staff director is to

be paid \$22,500 a year.

The civil rights law author-

izes appointment of a new As-

sistant Attorney General in

charge of civil rights matters.

In reply to a question today,

Associate White House Press

Secretary Anne Wheaton said

she looks for announcement of

that selection soon.

Mr. Reed, who will be sev-

enty-three next month, could

not be immediately reached re-

garding what plans he may

have for getting the commission

launched on its work. Mrs. Reed

said he was en route by plane

from Louisville, Ky.

She said she had heard of his

appointment on a news broad-

cast and had had no advance

inkling of it. She said "I think

he did," when asked if the re-

tired justice might have had an

inkling of the pending appoint-

ment.

full-time staff director to be appointed by the President and confirmed by the Senate. A selection for that position has not yet been made.

By law, the commission is empowered to investigate allegations of denial of voting rights, and to collect general information on denial of equal protection of the laws.

Has Subpoena Power

The commission also has subpoena power and is authorized to hold open or closed hearings. It is required to submit a final report and recommendations to the President not later than August 1, 1959.

Each commission member is to be paid \$50 a day for each day he puts in on commission duties, plus \$12 a day for subsistence. The staff director is to be paid \$22,500 a year.

The civil rights law authorizes appointment of a new Assistant Attorney General in charge of civil rights matters. In reply to a question today, Associate White House Press Secretary Anne Wheaton said she looks for announcement of that selection soon.

Mr. Reed, who will be seventy-three next month, could not be immediately reached regarding what plans he may have for getting the commission launched on its work. Mrs. Reed said he was en route by plane from Louisville, Ky.

She said she had heard of his appointment on a news broadcast and had had no advance inkling of it. She said "I think he did," when asked if the retired justice might have had an inkling of the pending appointment.

Reed Resigns From Rights Commission

WASHINGTON, Dec. 3 (A—Stan-

ley F. Reed resigned today from

the new Civil Rights Commission

Reed, a native of Kentucky, re-

tired from the Supreme Court last

Feb. 25 because he said it no long-

er seemed wise to continue the

strain of "unremitting exertion"

required by his court duties. In

retirement he draws full salary of

\$35,000 a year.

his obligations as a retired Supreme Court justice.

Reed's resignation was accepted promptly by President Eisenhower.

Eisenhower's appointment of Reed on Nov. 7 drew a generally favorable initial reaction from members of the Senate, which will pass on the nominees to the six-member bipartisan commission.

DOUBT RAISED

However, there later was speculation that the selection of Reed might raise some opposition because, as a former high court justice, he still is available for duty on other federal benches and recently served in such a capacity. In such an event, he might be called upon to give a judicial opinion in a civil rights case.

The 72-year-old jurist sent Eisenhower a handwritten letter, dated yesterday, saying he must withdraw from the commission "with regret that I have added to your burdens by my former acceptance." Reed explained his position in these words:

"When I recently indicated to you my willingness to serve on this commission I permitted my desire to be of use in the orderly adjustment of civil rights matters to blind me to the weightier harmful effects of possible lowering of respect for the impartiality of the federal judiciary."

POLICYMAKING JOB

He said that to accept an executive branch assignment which would involve policymaking through investigation and through appraisal of federal civil rights laws "now seems to be incompatible with my obligations as a judge."

In a reply, dated today, Eisenhower said that "under the circumstances I must respect the reasons you give for being unable to serve as a member of the commission."

The commission was set up under the civil rights law passed by Congress last summer. It was empowered to investigate denial of voting rights and appraise laws and policies regarding equal protection under the Constitution.

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SUPREME COURT JUSTICE STANLEY F. REED

RESIGNED- DEC. 3, 1957

CIVIL RIGHT COMMISSION

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retirement he draws full salary of \$35,000 a year.

Reed was named to the high court in 1938 by President Franklin D. Roosevelt. He was on the tribunal when it unanimously outlawed racial segregation in public schools.

Press secretary James Hagerty said he had no immediate information on when Eisenhower will name a new member of the commission to succeed Reed.

MEETING POSTPONED
The White House announced indefinite postponement of a commission organization meeting which had been scheduled for next Monday. President Eisenhower had planned to meet with the six-member group for a while.

Other members named by Eisenhower are:

John A. Hannah, vice chairman, president of Michigan State University; former Gov. John S. Battle of Virginia; Rev. Theodore M. Hesburgh, president of Notre Dame University; Robert G. Storey, dean of the law school at Southern Methodist University; and J. Ernest Wilkins, assistant secretary of labor and a Negro.

Reed Quits Post On Rights Body

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10 1957

Legislation By Reference In The Civil Rights Bill

Senator Russell's dramatization of the "sleeper" feature in the civil rights bill, which would have incorporated a military force law enacted by the Reconstruction Congress in 1865, has illustrated the evil of "legislation by reference."

In the now generally discredited Section III of the bill, the President would have the authority to call out the troops to enforce "the execution of judicial process"—this by reference to the dusty 1865 statutes.

And "judicial process" now includes all the Supreme Court decisions on racial segregation. Hence the possibility, driven home by Russell, that a future President could declare Reconstruction II to force the South to integrate under martial law.

Although proponents of the civil rights bill have now tendered an amendment deleting this feature, the fact that it was there is indicative of the malice, the extremism of the drafters of the bill. There are other sections well worth exploring further.

Since *The New York Times'* Arthur Krock began a series of damning articles on Section III, he has received comments from many Northern lawyers who favor a civil rights bill but were shocked by the Russell disclosures on Section III. Particularly distressing to them was the "legislation by reference" feature. One lawyer's experience in drafting what appeared to have been a simple amendment to the Internal Revenue Code of 1954 illustrates the legal maze this kind of shifty bill-writing can lead to.

After checking a single reference incorporated in the section he was asked to amend, he discovered the following fantastic sequence:

Section 243 (a) incorporated 244 (1), which in turn incorporated these sections of the statutory code—247, 268

(a), 371, 1081, 1082, 1083 (plus an indefinite number of others in the Internal Revenue Code of 1939). Section 368 (a) incorporated 354, 355, 356 and 357. Section 371 incorporated 77 (m) of the Bankruptcy Act, Chapter 10 of the Revenue Code of 1954 "and corresponding provisions of prior law." Section 1081 incorporated 1082 (a), 6501, 6503, and 3 and 11 (b) of the Public Utility Holding Act of 1935. Section 1082 incorporated 167, 611, 613, 1081 (a, b, d [1] and e) and 372 of the Revenue Code of 1939 before its amendment in 1942, also three "corresponding provisions" in prior revenue laws. Section 1083 incorporated "any section of the Public Utility Holding Act of 1935."

Something similar, if not as alphabetically bizarre, was slipped into the civil rights bill which had for months been praised by proponents, who hadn't read it, as a moderate, reasonable "right to vote bill." Actually, it would have empowered the U.S. government to institute a New Order, under federal guns, in the South.

The results might have been tragic. But the very fact that this section was there—unknown, if we are to believe them—to virtually all its backers who called themselves authorities on the question is a disgrace.

Griffin Praises Constitution Georgia Senators

Gov. Griffin Thursday sent telegrams to Senators Richard Russell and Herman Talmadge commending them for their battle to eliminate the "objectionable features" of the civil rights bill.

The telegram to Russell read: "Your leadership in the fight to maintain our traditional constitutional form of government is greatly appreciated by me. The people of Georgia are wholeheartedly behind you and your efforts to defeat the proposed civil rights bill."

The telegram to Talmadge read: "You are to be highly commended for your efforts in seeking to retain our constitutional form of government. We in Georgia are justly proud of the leadership that you and Sen. Russell have exhibited in the endeavor to defeat the

SENATOR RUSSELL



"HIS IDEA OF A CIVIL RIGHTS LAW, WILL DESTROY OUR WORLD LEADERSHIP."

Russell's 'Temporary Insanity'

In a profile of Senator Richard Brevard Russell of Georgia, timed to coincide with Senator Russell's leadership in the fight against the civil rights bill, *The New York Times* is generally fair.

The Times has many good things to say of the distinguished Georgian. But toward the end of the article, this sentence appears:

Repeatedly he [Russell] tells his friends—this ordinarily [italics ours]

urbane man of legal distinction—that the South is the victim of a campaign of "conscious hate."

By "ordinarily," *The Times* is saying that when discussing the race issue Russell's judgment falters, his faculties dim, for certainly he could not otherwise believe the South is the victim of a hate campaign.

Unfortunately, this attitude of *The Times* is fairly general, seeing bigotry as a one-way street. It is an attitude that holds that the South cannot be the victim of bigotry and hate because it is

the known, proven perpetrator of all the hatred generated in the racial debate. Negroes, and their partisans, cannot possibly be guilty of South-baiting because. . . well, because they are Negroes and therefore wouldn't be guilty of such.

As the renowned sociologist David Reisman has written of such attitudes, they sail dangerously close to being prejudice in reverse.

Scent Victory As Opposition Slows Down Compromise Tries Suddenly Collapse As Russell 'Hopeful'

By JOHN CHADWICK

WASHINGTON (AP) — Southern foes of the civil rights bill scented victory today in their efforts to erase what they called the "most vicious part" of the measure. With supporters of the bill split over compromise moves, Sen. Russell (D-Ga.), leader of the Dixie forces, told newsmen he was "very hopeful" the Senate would adopt an amendment to strike out part 3 of the House-passed measure. That part would authorize the attorney general to obtain federal court injunctions to project civil rights generally. Southern senators have protested it could be used to force racial integration in schools and other public places.

Russell said he hoped for a vote no later than Tuesday, Monday if possible, on an amendment of Sens. Anderson (D-NM) and Aiken (R-Vt) to rip out this section of the bill.

COMPROMISE

Republican and Democratic efforts for a compromise that would remove some of the opposition to part 3 collapsed suddenly late yesterday afternoon.

Senate Republican leader Knowland of California said he had concluded no substitute could be worked out "to meet the situation of the various people with whom we have been discussing it."

He said he was prepared to let the vote come on the Anderson-Aiken amendment rather than attempt to get a vote first on an amendment or substitute softening the terms of part 3.

Like Russell, he spoke of a vote being taken either Monday or Tuesday.

With this word from Knowland, tended that the bill was introduced by Sen. Humphrey (D-Minn), a leader of northern Democrats backing the bill, promptly told newsmen that an amendment he had prepared to modify part 3 would not now be offered. Humphrey had said he intended to offer it with bipartisan support.

RUSSELL GLAD

After these developments, Russell said: "I am glad the Senate is going to have an opportunity to vote up or down this part 3, the most vicious part of the bill."

Sen. Douglas (D-Ill) said he was "very hopeful" about the outcome. He said the bill's supporters were "optimistic" about defeating the Anderson-Aiken amendment.

A more restrained view was taken by Knowland, who said "I think it will be a very close vote."

Knowland said that if part 3 of the bill were deleted, it would be possible later to offer a new section to replace it "if this should be deemed advisable." Humphrey also said adoption of the Anderson-Aiken amendment would not preclude such action.

While part 3 of the bill relates to civil rights in general, another section would permit the attorney general to obtain federal court injunctions to prevent violations of voting rights.

Persons accused of a disobeying injunctions obtained under either part of the bill could be jailed or fined for contempt of court.

Russell said that if the Anderson-Aiken amendment is adopted, the next big issue in the battle over the legislation will be on proposals to provide for jury trials in these contempt cases.

WASHINGTON

The Civil Rights Bill Is Down To The Heart Of The Matter

BY ROSCOE DRUMMOND

THE SENATE debate on the civil rights bill now has reached the heart of the controversy.

The issue is no longer what to take out of the bill to keep it from going too far, but what to leave in the bill to enable it to go far enough.

The measure now is limited to one single, unchallenged goal: to enable the federal government, by instituting civil suits, to help secure for all citizens the right to vote on equal terms.

I describe this as an unchallenged goal because when the Senate debate first began, the leader of the opposition, Sen. Richard Russell (D., Ga.), con-



O'Mahoney

its advocates as a "right-to-vote" bill because its advocates knew that everyone agreed with the right to vote.

Now the proposed law has become in fact a right-to-vote law and the Southern senators have performed a public service by compelling the Senate to remove what most of the senators did not know was there. The force of the Southern senators was the force of lucid and powerful argument, not the force of filibuster.

What About Registrar Who Refuses To Register?

ONE MORE earnest and honest argument must be fought out before the bill is ready to be voted on as a whole. The argument will be over whether a registrar or an elections official, charged with refusing to comply with a court injunction, shall be tried by a judge or by a jury.

If the Southerners conduct the debate



Kefauver

tried without jury and often without jury in criminal contempt.

The Man Sentenced Has Key To Get Out

IT IS IMPORTANT to understand concretely what is at stake in this jury-trial debate and to see what would happen in a concrete case.

If there was evidence that a local registrar refused to permit an eligible citizen to register in order that he could later vote, the Justice Department could bring a civil suit in a Federal District Court. If the judge found that the defendant had violated the constitutional right of voting equality, he could issue an injunction requiring the registrar to desist in this discrimination and, if the defendant refused, he could be sentenced to jail.

But the purpose of such a sentence

over this issue as faithfully, as constructively and as short-of-filibuster as they have the debates thus far, they will have enhanced respect for the Senate as a legislative body which can argue and act upon the most delicate legislation.

The opponents of the bill contend that it is unwise to try to protect on civil right (voting) by undercutting another civil right (trial by jury). They contend that no citizen should be punished without jury trial.

These contentions rest on premises which are only partly true. Contempt of court in a civil suit is almost invariably

is not to punish; it is, rather to require compliance with the order of the court. In effect, such a defendant is assigned a jail cell and he is given a key to let himself out anytime he wishes, the key being his compliance with the court's injunction. This, the right of the court to defend itself against contempt, is the primary reasons why jury trials are rarely provided in civil cases.

Some Say Better That We Have No Bill At All

SENS. O'MAHONEY and Kefauver are pressing an amendment which would provide for a jury trial in cases of crim-

inal contempt. They contend that this amendment would not weaken the enforcement powers of the federal government under the law. It is arguable.

But strongest Republican and Democratic advocates of the bill are now united on one proposition: that it would be better to have no bill at all than to have one which cannot accomplish its purpose, the purpose of protecting the right to vote with new federal authority when state laws have proved inadequate.

They hold that anything less would make the bill an empty facade.—C

BOTH SIDES WOO THE UNDECIDED

Russell Hits Ike's Tactics

As Debate Turns Tough

By JAMES RESTON

(Copyright 1957 by The New York Times Co.)

WASHINGTON, July 30—The equal voting rights debate in the Senate is not improving with age. With every passing day, the temperature of the Senate is rising and the level of the argument falling.

Today, for example, Sen. Russell of Georgia took the floor to warn Republicans against submitting to pressure from the White House.

Senators, said the gentleman from Georgia, should not be "dragooned" by telephone calls from the President. Such calls, he concluded, amounted to a presidential invasion of Congress' responsibility to write the laws.

On the other side of the aisle, Sen. Javits (R-NY) counselled supporters of the Civil Rights Bill not to waste their ammunition on Southern senators who could not be convinced by any argument. And so the downward trend continues.

This was probably inevitable, for after more than two weeks of incessant talk, the Senate is so evenly divided on whether to approve limited jury trial amendments to the administration's bill that leaders on both sides are applying pressures of all kinds to those senators who are wavering or uncommitted and thus hold the balance of power.

It is true that the White House, after much hesitation, is applying pressure to Republican senators. The argument is that the administration's bill is the only fair way to redeem the constitutional promise of equal voting rights for Negroes, and that passage of an effective equal-voting-rights measure would have a powerful influence in breaking the Democratic hold on the South and on the Negro vote in the Northern cities.

All the pressure, however, is not coming from the White House. The Southern leaders, though comparatively few in number, are not precisely helpless. They have been in the Senate a long time. They are well-liked and articulate. They are good lawyers and highly skilled in parlia-

works are not granting equal treatment to contrasting viewpoints in the current civil rights controversy.

STRICTER REGULATIONS?

"In view of the efforts of some to extend a modified public utility type of control to the broadcasting industry, the implications of such charges are serious.

"I do not embrace the charges and I have come to no conclusion upon the issue of stricter regulation of the broadcasting industry.

However, I believe it would be helpful if you gentlemen would submit the facts on the treatment that has been accorded the contending parties in the civil rights' issue over your network news presentations and interview programs."

This is just one sample of the maneuvering behind the scenes, and it can be expected to increase as the issue approaches a vote.

Unfortunately, side issues are beginning to fog the central issue. The main question is whether a situation exists in the South under which Negroes are being denied their constitutional right to vote, and if so, what remedial action is necessary to redeem that constitutional promise.

FACTS NEEDED

However, few facts have entered the debate. Records of Negro voting in Southern states have not been submitted by the administration, except in scattered precincts. The facts on whether Negroes can or do sit on juries in Southern states—a key question in the debate—have not been established. Some senators are asserting that they do, others that they don't.

There have been days of argument about whether the administration was conniving at sending federal troops into the South, and whether it was trying by trickery to use injunctions to enforce racial integration in the public schools, and whether white juries are fair to Negroes in the South. But there has been very little reliable information about the actual voting situation or jury regulations.

These are facts that can be obtained for the Senate by the majority and minority leaders. Both have made a great play of the high level of the debate, but it is declining fast, and is not likely to be retrieved by more contentious argument and maneuver.

"As you are aware," this letter said, "some charges have been made recently that the net-

Solon Proposes National Vote on Civil Rights Bill

Call for Referendum by Russell Foreshadows Dixie Strategy

WASHINGTON, July 2 (UP)—Sen. Richard B. Russell (D-Ga.) proposed today that President Eisenhower's civil rights bill be submitted to the people in a national referendum. He said the bill would destroy constitutional guarantees.

The Southern bloc leader made the proposal in a Senate speech which clearly foreshadowed the strategy of Dixie senators when the House-passed measure is called up for action, probably next week.

Russell was drafting his proposal to provide that the civil rights bill would become effective only if approved by majority vote held in connection with the 1958 national congressional elections.

He said the courts had upheld the validity of similar provisions in farm programs which could be launched only if approved by the vote of corn, wheat and tobacco farmers.

As Russell outlined Southern arguments against the bill, Republican supporters of the measure discussed their strategy with Eisenhower at the weekly White House legislative conference.

Senate GOP Leader William F. Knowland (Calif.) told reporters afterwards that Republicans would not aim for a specific adjournment date for Congress this year because of the expected Southern filibuster.

"An Ideal Spot"

Knowland said a fixed date would give the Southerners an "ideal spot" to shoot against in their effort to talk down the bill.

Russell told the Senate the bill would cause "unspeakable confusion, bitterness and bloodshed in a great section of our common country."

He charged that newspapers and radio-television media had abused the constitutional guarantee of freedom of the press by engaging in a "campaign of deception" about the real effects of the legislation.

Joseph W. Martin Jr. (Mass.) again suggested that the House might well recess during the debate which Knowland said could easily go on several weeks.

Meanwhile, a spokesman for Gov. Marvin Griffin of Georgia questioned whether a drive to curb filibusters in the Senate was the forerunner of a move to curb the voting rights of senators from small states.

The question was raised by Charles J. Bloch, Macon, Ga., attorney, who represented Griffin before a Senate Rules Committee. He argued against proposals to modify the present rule requiring a vote of 64 senators to shut off debate.

RUSSELL, 'IKE' CONFER

Nixon Reportedly Expects

Senate To 'Clarify' Measure

By MORRIS CUNNINGHAM

From The Commercial Appeal
Washington Bureau

WASHINGTON, July 10.—Dixie hard civil rightists moved Wednesday to try to stem a growing spirit of compromise on the Administration's House-passed Civil Rights Bill as Senate debate on the measure passed its third day.

Plainly disturbed by the implications of an apparently pleasant 50-minute White House conference between Dixie leader Senator Richard B. Russell (D., Ga.) and President Eisenhower, they moved swiftly to the attack. Representative Emanuel Celler (D., N.Y.), leader of civil rights forces in the House, pointedly noted the "strong talk of compromising" and sharply declared, "There seems to be no fight in the Administration."

President Attacked

"The President," the Brooklyn Democrat charged, "bends with every wind. I can't see a Truman or a Roosevelt—Teddy or FDR—yielding so pusillanimously. . . . Apparently the Administration began with a bang and now goes out with a whimper."

Hours later, fighting to retain the Northern Negro vote even in the face of swelling, apparently uncontrollable Senate opposition to its bill, the Administration replied with a second-hand state-

ment by Vice President Richard M. Nixon.

Quoting Mr. Nixon, Representative Edwin H. May Jr. (R., Conn.) rebutted Mr. Celler's statement by portraying the Administration as still firmly resisting changes in the bill.

The Connecticut Republican reported Mr. Nixon told a group of House Republicans he expects the Senate to pass the bill without any major concessions to the country.

Mr. Nixon told the group he was determined to get the bill passed "no matter how long it may take," Mr. May reported. "It was his feeling the bill would go through without compromise," Mr. May said. Mr. Nixon believed the Senate at most would adopt only some clarifying amendments.

Gets Off Hook

While Mr. May's announcement tended to get the Administration off the hook with Northern civil rightists, there were increasing indications that major amendments must be accepted if the bill is to pass.

Western Democrats and Republicans alike were said to be especially concerned over the bill's denial of jury trials and its authority to use troops to enforce racial integration decrees.

Dixie sources reported they now have the votes to write in a jury trial amendment and to eliminate the bill's Government-by-injunction powers except possibly in relation to enforcing Negro voting rights.

This would leave the bill limited largely to applying to Negro voting rights, with a trial-by-jury safeguard, and the creation of a civil rights commission and a civil rights division in the Justice Department.

In general, this would conform with President Eisenhower's stated objectives.

"I believe," said Senator Albert Gore (D., Tenn.), "that even the most rabid sponsors must now recognize the impossibility of passing the bill in its present form."

"The value of free debate in the Senate once again has been demonstrated. A bill that galloped through the House under strict debate limitations has now been subjected to the processes of free debate in the Senate and has been revealed to be a very different bill from what it has been portrayed—even by Presi-

dent Eisenhower."

Opposition Increasing

The Tennessean flatly attributed to the growing "spirit of compromise" to the swelling opposition to the bill in its present form.

"There are more Henry Clays around here now than you can shake a stick at," he said, "and they come from all parts of the country."

Moving from their substantially improved position, the Southerners are expected to announce later this week that they are agreeable to ending the present phase of their discussions.

Barring some presently unforeseen shifts, this would permit a vote on the question of removing the bill from the Senate calendar and putting it before the Senate for amendments and further discussion.

Indications were that the Dixie announcement later this week will open the way for this vote to come sometime next week. Senator Russell was under his 50-minute private talk with President Eisenhower early Wednesday morning.

However, he indicated he stressed the trial-by-jury and use-of-Federal troops issues and told newsmen the conference "was productive from my point of view."

'Punitive Expedition'

He reported the President assured him the Administration has no intention of using the bill's broad powers to launch a "punitive expedition" against the South.

And he reported the President's mind is "not closed" to "clarifying" amendments.

Senator Russell said he did not go to the President's office "with a pocketfull of amendments" but he said he did point out "the most severe, most objectionable" features of the bill and stress "what could ensue."

Senator Russell, who was announced his opposition to any type of Civil Rights Bill, told reporters, "I couldn't say we had a meeting of minds," and added:

"The President and I don't agree on the basic philosophy of this legislation."

He said, however, that "we both have a much better understanding of the other's views."

The President indicated a willingness to talk over the situation last week after Senator Russell captured the nation's headlines

with a speech pointing out that the bill would authorize the use of Federal troops to enforce racial integration at all levels in the South.

Tides Receding

And Tuesday, after Senate tides started receding from the bill, the President let it be known through Senate Republican Leader William F. Knowland of California that he would not oppose "clarifying" amendments.

This was a sharp departure from the President's previous news conference statements opposing any amendments, including the trial-by-jury proposal.

Senator Knowland's statement came after a Republican huddle with the President at the White House at which Atty. Gen. Herbert Brownell Jr., chief architect of the bill and the Administration's top minority vote strategist, was present.

Developments during the past few days have indicated that Mr. Brownell's plans have been rent asunder by the Administration's inability to push the bill through the Senate in its present form.

With one vacancy existing in the normally 96-member Senate, Southerners need only 32 votes to block a filibuster-ending cloture vote, which requires 64 affirmative votes.

A cloture vote patently has become impossible so long as the bill remains in its present form.

Sparkman Speaks

Senator John Sparkman (D., Ala.) was the South's main speaker Wednesday in the floor debates. As did Senator J. W. Fulbright (D., Ark.) a day earlier, he centered his fire on the bill's provision for Government-by-injunction and denial of jury trials in contempt cases.

Senator Everett Dirksen (R., Ill.) took the floor at mid-afternoon for the first full-fledged appearance by a supporter of the measure.

He denied the bill is aimed at enforcing school integration and said he was "disturbed" by Dixie charges that this is its objective. He said the charges are "simply without foundation."

SPEECH BY RUSSELL WAS TURNING POINT

Set Stage For Compromise

In Rights Bill Fight
HE LAID IT ON THE LINE

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, July 14.—Senator Richard B. Russell's speech Tuesday afternoon stood out as a turning point in the South's fight on the Senate Civil Rights Bill.

It was this speech that routed backers of the bill and set the stage for compromise negotiations.

A calm, normally reserved and highly respected man, the Georgia Democrat laid it on the line.

He pointed out that the bill would authorize the Administration to enforce court decrees directing racial integration with the Army, Navy and militia, if necessary.

Could Divide Nation

He warned this could divide the nation and lead to bloodshed.

Delivered with excellent timing, and under the most favorable conditions, the Dixie leader's speech captured the nation's headlines.

He said, in effect, he was sure President Eisenhower and many others did not fully understand the sweeping scope of the bill and particularly its powers to compel integration, "with bayonets, if necessary."

The next day, at his news conference, President Eisenhower quickly availed himself of the exit Senator Russell had so thoughtfully provided.

"... I was reading part of that bill this morning, and there were certain phrases I didn't completely understand," he said.

The President, in his news conference remarks, set the stage for a face-to-face talk with Senator Russell. They met Wednesday and talked 50 minutes.

Senator Russell reported that the conference was "productive" from his point of view and there was no denial from the White House.

Some of the bill's most important supporters, including prominent Eastern newspapers, then began to waver and to edge toward the exit Senator Russell had provided.

Bill Bird-Dogged

The New York Times, with a staff of two dozen reporters in Washington who had bird-dogged the bill from its inception, suddenly "discovered" that Senator Russell had "discovered" something.

The Times said editorially Thursday:

"Although the inflammatory language Senator Russell used in his speech does not contribute to a calm approach to this touchy subject, the fact remains that he has discovered in the pending bill terminology that may indeed be fairly interpreted in the way he chooses to interpret it. In previous discussion of the civil rights measure there has been almost total neglect of this one point. The Administration bill in something very much like its present form was debated and passed the House a year ago; the current one was debated and passed by the House again last month; there have been extensive hearings and reports and innumerable speeches on the subject; yet in all this time no one has made a real issue of the possibility pointed to by Senator Russell that the bill might be used to enforce school integration by injunction. The House minority reports both this year and last, and some brief testimony by Atty. Gen. Brownell, do mention this possibility. But until the last few days it has been generally overlooked—so much so that some of the bill's leading proponents now admit privately that they had never even thought of it."

Pleads Its Ignorance

Thus the Times pleaded its ignorance and moved toward the exit so carefully established by Senator Russell.

And in a follow up, The Times suddenly published the full text of the bill. And each day, it began publishing a "box" explaining the bill in the terms which Southern members of Congress have used for months.

This was another tribute to the power of Senator Russell's speech.

Sen. Russell Blasts Ike's Rights Bill

WASHINGTON, July 2 (AP)—The Senate jumped the gun today on its forthcoming civil rights debate.

Sen. Russell (D-Ga) blasted the

House - passed right-to-vote bill, sponsored by the Eisenhower administration, as a device for "bayonet" enforcement of school integration. He urged that the whole measure be submitted to a nationwide popular vote.

Some Northerners scoffed at Russell's impassioned speech. Said Sen. Dirksen (R-Ill): "Seldom have I seen so many ghosts under a single bed."

Flurry of Orations.

The flurry of orations came as Republican Senate Leader Knowland (Calif) told at the White House of plans to bring the civil rights bill up for debate early next week. Southerners, led by Russell, are ready to try talking it to death.

Russell took issue, by plain implication, with President Eisenhower's past statements that the bill is a "moderate" and "decent" attempt to assure the voting rights of Southern Negroes and others.

The Georgia senator told his colleagues that actually the bill was "deliberately drawn to enable the use of our military forces to destroy the system of separation of the races in the Southern states, if it be necessary to take this step."

With a fervor seldom seen on the Senate floor these days, Russell told his Republican and Northern Democratic antagonists: "If you propose to move into the South in this fashion you may as well prepare your concentration camps now, for there will not be enough jails to hold the people of the South who will today oppose the use of raw federal power to forcibly commingle white and Negro children in the same schools and places of public entertainment."

Exaggeration?

Dirksen said Russell was greatly exaggerating the possible effects of the bill. If it is enacted, Dirksen said, "the heavens will not be rent asunder, the earth will not rock and roll."

Voicing agreement, Sen. Douglas (D-Ill) said the measure does not envision all the "horrible consequences" predicted by Russell. "Its primary purpose is throw added protection around the right to vote," said Douglas.

Russell told newsmen the referendum he proposed would be similar to those frequently conducted among farmers on the question of production and marketing controls.

As he explained it, the bill itself would be amended to provide for a national referendum on the civil rights legislation, with the issue to be decided by simple majority

vote. The amendment would provide that other sections of the bill would not become effective until approved by the people.

Russell suggested such a vote might be held in conjunction with the 1958 congressional elections. He said that if supporters of the civil rights bill are correct in their contention that there is "a big popular demand" for it, he saw no reason why they should oppose a referendum.

Javits Counters Russell's Bid For Weak Rights Bill

WASHINGTON — Sen. Jacob K. Javits (R) N. Y., staunch supporter of the House-passed Civil Rights Bill, Saturday counter-attacked three amendments proposed by Sen. Russell (D) Ga., and hints of compromises when he said that talk of compromises could only weaken the hands of those who want effective legislation.

In an unusual session of the Senate, Javits said: "As for me, I stand by Part Three of the bill, as does the Attorney General (Herbert Brownell, Jr.). I see nothing to apologize for in seeking to gain for all our citizens the rights given to them under the Constitution."

Javits took the Senate floor after Sen. Russell had offered three amendments to the bill. The principal one would delete Part Three which authorizes the attorney general to bring civil injunction suits to prevent infringement or threatened infringement of civil rights. Violators could be fined or jailed by judges without a jury.

WOULD DRAW "TEETH"

Russell's other amendments would affect the six-man Presidential Commission which the bill would create to investigate alleged racial injustices. One amendment would bar voluntary workers on the commission and the other would require that the director be confirmed by the Senate.

Javits was backed in his stand against possible compromises on the measure by Sens. Douglas (D) Ill., and Potter (R) Mich.

Offering personal reasons why he stood behind the bill, Javits said it would deal with "the right to attend desegregated public schools and other public facilities such as municipal playgrounds and golf courses."

Sen. Herman E. Talmadge charged that the proposed bill would make the attorney general a "czar," and that the powers of the six-man

commission would be "almost limitless."

After reviving the "jury trial" which was defeated in the House, Georgia's junior Senator told his colleagues that his state was giving its people "the real and important civil rights."

During his turn before the Upper House, Sen. Javits said that any person "who believes in civil rights must stand by the Supreme Court." He was referring to the high court's decision against school segregation.

Russell Asks Ike Parley On Rights

WASHINGTON — (INS) — Sen. Richard B. Russell (D) Ga., leader of the southern opposition, Sunday awaited an invitation from President Eisenhower for a conference on the administration's civil rights bill.

The Georgia Democrat has predicted it "will cause unspeakable confusion, bitterness and bloodshed" in the south if passed.

Meanwhile, Senate GOP leader William F. Knowland said Saturday he would launch the civil rights fight Monday with a motion to take up the bill immediately.

Knowland said he expects debate on the bill to run for several weeks and estimated the Senate will have to stay in session until mid September to settle the civil rights issue one way or the other.

Russell declared it was his intention "to amend this bill if possible, but to defeat it in any event."

The Georgian declined to answer if Southerners would forego their first chance to filibuster against the bill if they could get an agreement watering down provisions they consider most objectionable.

However, the southern bloc reportedly wants any compromise to be agreed to in advance by the White House because they feel they should at least have a conference to sound out the possibilities of a compromise.

10 1957

Russell Asks National Vote On Rights Bill

Courier-Journal P.1
Wed. 7-3-57
Louisville Ky.

Blasts Measure as Device For 'Bayonet' Enforcement Of Integration of Schools

From Wire Dispatches

Washington, July 2.—The leader of the Southern opposition to the Administration's civil-rights bill, Senator Russell, challenged its proponents today to let the country decide the issue by national referendum.

Russell, a Georgia Democrat, thus anticipated the formal opening next week of the Senate's debate. In a major speech intended to set the pattern for the Southern case to come, he asserted that the public generally was unaware of the real implications of "the most cunningly devised and contrived piece of legislation I have ever seen."

Russell blasted the bill, already passed by the House, as a device for "bayonet" enforcement of school integration.

Some Scoff at Speech

Some Northerners scoffed at Russell's impassioned speech. Said Senator Dirksen (R., Ill.): "Seldom have I seen so many ghosts under a single bed."

The flurry of oratory came as Republican Senate leader Knowland of California reported at the White House on plans to bring the civil-rights bill up for debate early next week. Southerners, led by Russell, are ready to try talking it to death.

Russell took issue, by plain implication, with President Eisenhower's past statements that the bill is a "moderate" and "decent" attempt to assure the voting rights of Southern Negroes and others.

'Not Enough Jails'

The Georgia senator told his colleagues that actually the bill was "deliberately drawn to enable the use of our military forces to destroy the system of separation of the races in the Southern states, if it be necessary to take this step."

With a fervor seldom seen on the Senate floor these days, Russell told his Republican and Northern Democratic antagonists:

"If you propose to move into the South in this fashion you may as well prepare your concentration camps now, for there will not be enough jails to hold the people of the South who will to-day oppose the use of raw federal power to forcibly commingle white and Negro children in the same schools and places of public entertainment."

Exaggeration Is Charged

Dirksen said Russell was greatly exaggerating the possible effects of the bill. If it is enacted, Dirksen said, "the heavens will not be rent asunder, the earth will not rock and roll."

Voicing agreement, Senator Douglas (D., Ill.) said the measure does not envision all the "horrible consequences" predicted by Russell.

"Its primary purpose is to throw added protection around the right to vote," Douglas said.

Russell told the Senate the bill would cause "unspeakable confusion, bitterness, and bloodshed in a great section of our common country."

"Before the outrage possible in this bill is inflicted upon a helpless people, I shall demand an amendment (to) submit this issue to the American people," he said.

Would Amend Bill

"There may not be any precedent for such action, but there is certainly no worthy precedent for the disasters that enactment of this bill in its present form are certain to bring."

Russell told newsmen the referendum he proposed would be similar to those frequently conducted among farmers on the question of production and marketing controls.

As he explained it, the bill itself would be amended to provide for a national referendum, with the issue to be decided by simple majority vote.

Suggests Vote In 1958

The amendment would provide that sections of the bill would not become effective until approved by the people.

Russell suggested such a vote might be held in conjunction with the 1958 Congressional elections.

He said that supporters of the civil-rights bill are correct in their contention that there is "a big popular demand" for it, he saw no reason why they should oppose a referendum.

Senator Stennis (D., Miss.) congratulated Russell on his speech, saying it exposed the "very drastic terms" of the bill in contrast to what he called the publicity about its "moderate" nature.

Southerners Praise Russell

Also commending Russell for his speech were Senators Ervin (D., N. C.), Holland (D., Fla.), Thurmond (D., S. C.), and Hill (D., Ala.).

Stennis said passage of the bill would "destroy the public-school system in the South."

Holland noted that some Southern State legislatures have already taken steps to abandon their public schools if integration is forced upon them.

Ervin said Russell had pointed out "the fallacy being perpetrated on the American people that this is a voting-right bill." He said it covers "every conceivable

SENATOR RUSSELL

Knowland sure—

Russell hopeful in rights bill

News P.1
Sun. 7-21-57
B'ham, Ala.

WASHINGTON, July 20—(AP)—Sen. Knowland (R., Calif.) expressed confidence Saturday that supporters of the administration's civil rights bill can defeat efforts to provide for jury trials in the protection of voting rights.

But he conceded to newsmen that backers of the bill have a nip-and-tuck fight on their hands in trying to retain another section providing new powers for the attorney general to enforce other civil rights.

This latter section, part three of the House-approved bill, has drawn the heaviest fire of Southern opponents. It covers civil rights in general, including racial desegregation of schools and other public places under decisions of the Supreme Court.

Knowland, the Senate GOP leader, said that the vote on an amendment of Sens. Anderson (D., N. M.) and Aiken (R., Vt.) to strike out this part of the bill will be "very close."

Senators polled, Page 2, Sec. B

He said senators who favor erasing part three are about evenly balanced with those who don't. He added that a considerable number of senators would favor a substitute modifying this section of the bill, if one could be agreed on.

But Knowland said that many of these senators may vote to wipe out part three if no substitute for it can be worked out.

Dropped efforts

KNOWLAND ANNOUNCED late yesterday that he had dropped his efforts to work out a substitute after concluding that no agreement on language to soften the terms of part three could be reached with Northern Democratic supporters of the bill and others.

Almost simultaneously, Sen. Humphrey (D., Minn.), a spokesman for the Northern Democrats, announced that he would not offer a substitute that he and others had framed.

An Associated Press canvass found 64 senators willing to state

ATLANTA, July 20—(AP)—The Southern Regional

Council reported Saturday that of 11 Southern states, "only in Mississippi did Negro (voter) registration level off, or perhaps decline, in the past four years."

In an analysis of an extensive survey conducted last Fall, it listed the Southwide figure at 1,238,000, a gain of 229,400 since 1952.

But, it hastened to add, "the current figure represents only about 25 per cent of the 4,980,000 Negroes of voting age in the region, as compared with 60 per cent registration among eligible white Southerners."

The council is made up of white and Negro leaders in various fields seeking "equal opportunity for all."

Civil rights cause Louisiana squabble

BATON ROUGE, La., July 20 — (AP) — Louisiana's Democratic national committeeman said Saturday State Sen. W. M. Rainach sought his ouster to build strength for his race for governor as a segregation candidate.

Rainach's legislative segregation committee opened the drive for Camille Gravel's removal by the Democratic State Central Committee because of his support of President Eisenhower's civil rights bill.

Voting not problem for Florida Negroes

TALLAHASSEE, Fla., July 20 — (AP) — Negroes appear to have no great problem in voting in most Florida counties but a few touchy areas remain where they are not registered in any significant numbers.

The fight in Congress over civil rights legislation has kept Negro voting in the national spotlight for weeks.

In Florida, no Negroes were registered to vote in Lafayette and Union counties for either major political party in the 1956 election.

One was on the books in Lib-

Russell hopeful

SEN. RUSSELL (D., Ga.) leader of the Dixie forces, said he was "very hopeful" that the Senate would adopt the Anderson-Aiken amendment to strike out part three.

Knowland said that whatever happens to part three of the bill, he thinks a jury trial amendment will be kept out of the separate section authorizing the attorney general to obtain federal court injunctions to protect voting rights.

"The heavily predominant sentiment among Republicans and Democratic supporters of the bill," he said, "is to keep section four (dealing with voting rights) in its present form. I doubt there will be any change in it."

Under the bill in its present form, persons accused of violating injunctions obtained by the government to enforce voting rights and civil rights generally could be jailed for contempt of court without a jury trial.

While Southern foes of the bill have been insistent on providing for jury trials, and have mustered support outside their own ranks, President Eisenhower said earlier this week that he was opposed to having a jury trial "interposed in contempt of court cases" growing out of violations of injunctions to secure voting rights.

Negro voters rise according to survey

REEL 158

erty. Gadsden registered five Taylor 91 and Jefferson 183. All six countries are in North Central Florida. The number of Negroes is relatively small in all but Gadsden and Jefferson, where the whites are outnumbered.

Backers Give Ground On Civil Rights Stand Under Dixie Pressure

GUIDED BY PRESIDENT

Retreat Starts Move Toward Concessions

On Title III

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, July 18.—Dixie senators demanded complete elimination of integration-enforcing Title III of the Administration's Civil Rights Bill Thursday and backers of the bill said they are ready to make new concessions.

Senator Richard B. Russell (D., Ga.), leader of the Southern-ers, declared Title III still would be "vicious" even if the Senate drops a provision that would authorize the use of troops to enforce court orders directing racial integration in schools and elsewhere.

He said Title III still would give the attorney general all Federal powers to enforce integration except the use of troops.

Clarifying Title III

The Georgian directed his remarks at an amendment by Senate Republican Leader William F. Knowland (Calif.) which would eliminate the power to use troops.

Senator Knowland meanwhile told newsmen that the bill's supporters are drafting additional "clarifying" amendments to Title III.

He thus disclosed that, as an apparent aftermath of President Eisenhower's retreat at his news conference Wednesday, the bill's backers are preparing new concessions to its foes.

The Senate Republican leader wouldn't spell out the details of

his new amendments. But he hinted one would trim the powers of the attorney general.

Russell Holds Firm

President Eisenhower indicated at his news conference Wednesday he would not oppose

the marked changes in sentiment for the bill that have occurred since its sweeping powers have been revealed in the Senate debates.

Monday on amendments to Title III. More than a score have been offered, but as matters stand Senator Knowland's move to drop the use of troops will be the first to be voted on.

While this would substantially modify Title III, Senator Russell nevertheless held firm for its complete elimination. And he predicted it will be dropped unless "unusual pressure" is brought—an apparent reference to the White House.

Senator Knowland again ruled out this possibility by reiterating that the bill is a problem for Congress to resolve. He refuted any idea that the President is attempting to dictate to the Senate.

As the trend toward concessions and compromise continued, the Senate debate took on a new air of relaxation. Tensions present earlier in the week were largely absent. Occasionally good-humored banter was exchanged between the opposing senators.

Senator Sam J. Ervin Jr. (D., N.C.), still pressing the Southern-ers' arguments on technical and legal points, occasionally brought his renowned story-telling abilities into play.

Attendance on the floor also dropped off and much of the discussion was on points that have been covered many times before.

Senator Jacob Javits (R., N.Y.) held the floor most of the afternoon. Much of his time was consumed in answering legalistic questions posed by Senator Ervin and others.

A strong supporter of the bill in its present form, the New Yorker conceded that Title III "thinly veiled political attacks would apply to segregation but he said this is not 'enough reason' to demand its complete elimination.

He insisted the backers of Title III have nothing "to apologize for" and added that "it makes no sense . . . for us to be on the defensive."

He thus seemed to concede

ary force law enacted by the Reconstruction Congress in 1865, has illustrated the evil of "legislation by reference."

In the now generally discredited Section III of the bill, the President would have the authority to call out the troops to enforce "the execution of judicial process"—this by reference to the dusty 1865 statutes.

And "judicial process" now includes all the Supreme Court decisions on racial segregation. Hence the possibility, driven home by Russell, that a future President could declare Reconstruction II to force the South to integrate under martial law.

Although proponents of the civil rights bill have now tendered an amendment deleting this feature, the fact that it was there is indicative of the malice, the extremism of the drafters of the bill. There are other sections well worth exploring further.

Since *The New York Times'* Arthur Krock began a series of damning articles on Section III, he has received comments from many Northern lawyers who favor a civil rights bill but were shocked by the Russell disclosures on Section III. Particularly distressing to them was the "legislation by reference" feature. One lawyer's experience in drafting what appeared to have been a simple amendment to the Internal Revenue Code of 1934 illustrates the legal maze this kind of shifty bill-writing can lead to.

After checking a single reference incorporated in the section he was asked to amend, he discovered the following fantastic sequence:

Section 243 (a) incorporated 244 (1), which in turn incorporated these sections of the statutory code—247, 268 (a), 371, 1081, 1082, 1083 (plus an indefinite number of others in the Internal Revenue Code of 1939). Section 368 (a) incorporated 354, 355, 356 and

357. Section 371 incorporated 77 (m) of the Bankruptcy Act, Chapter 10 of the Revenue Code of 1954 "and corresponding provisions of prior law." Section 1081 incorporated 1082 (a), 6501, 6503, and 3 and 11 (b) of the Public Utility Holding Act of 1935. Section

1082 incorporated 167, 611, 613, 1081 (a, b, d [1] and e) and 372 of the Revenue Code of 1939 before its amendment in 1942, also three "corresponding provisions" in prior revenue laws. Section 1083 incorporated "any section of the Public Utility Holding Act of 1935."

Something similar, if not as alphabetically bizarre, was slipped into the civil rights bill which had for months been praised by proponents, who hadn't read it, as a moderate, reasonable "right to vote bill." Actually, it would have empowered the U.S. government to institute a New Order, under federal guns, in the South.

The results might have been tragic. But the very fact that this section was there—unknown, if we are to believe them—to virtually all its backers who called themselves authorities on the question is a disgrace.

Legislation By Reference In The Civil Rights Bill

Senator Russell's dramatization of the "sleeping" feature in the civil rights bill, which would have incorporated a mili-

Senate Will Vote Tuesday on GOP's Rights Speedup

Filibustering By Dixie Held A Certainty

By ALBERT RILEY

Constitution Washington Bureau

WASHINGTON, July 12—Southern foes of the civil rights bill under the leadership of Sen. Russell, agreed late today to permit a vote next Tuesday on the Republican motion to take up the bill.

Majority Leader Johnson of Texas announced to the hushed Senate chamber that a unanimous consent agreement had been reached between Russell and GOP Leader Knowland of California to thus limit debate on the motion to take up.

This means that the preliminary skirmishing over civil rights will end around 6 p.m. Tuesday when the real fight—and a full scale Southern filibuster will begin.

It is a foregone conclusion that Republicans and Northern Democrats have the votes to approve Knowland's motion to take up the bill.

MAKING HEADWAY

There were also clear signs that the Southerners feel they are now making headway against the bill but do not want to prolong the preliminary debate in such a manner as to alienate any support they might get against the bill itself.

Today's agreement came in the

midst of another heavy Southern attack on the bill by Georgia's Sen. Talmadge and Sen. Stennis (D-Miss), with welcome help from Senators O'Mahoney (D-Wyo) and Morse (D-Ore).

When Johnson finished his announcement to the Senate, Russell arose to appeal for fair play on the part of the Northern liberals who are pushing the bill so vigorously.

ABSTRACT AND POLITICAL

Announcing that he would not object to the Tuesday vote, Russell said he wanted to make a brief statement.

He realized, the Georgian said, that the legislation before the Senate represents an abstract question to some members and has political angles for others.

"But some of us," he said, "are dealing with an issue vital to the welfare of our section and to the peace and happiness of our people."

"We have endeavored to act and will continue to comport ourselves as responsible men . . . on an issue of such transcendent importance to our people."

Johnson praised the Senate for the high plane of its debate so far. Since there are between 15 and 20 senators who still want to be heard on the motion to take up the bill, he will hold the Senate in long sessions Saturday and Monday, he said.

Johnson said the speeches so far have been to the point and the colloquies searching in a genuine effort to seek information. The Senate, he said, is proving it can meet a controversial issue with dignity.

Knowland then arose to thank

Russell for the vote agreement, asked his Republican colleagues to listen to the debate and said there is "much value" in it.

NO COMPROMISE

Earlier, the GOP leader had said there would be no compromise on the bill until after a vote on the motion to take it up. The Southerners have been joined in their fight against the bill and the procedure of taking it up by the two Westerners—Morse and O'Mahoney.

Morse actually is in favor of a civil rights bill, but he has argued consistently that the Senate is taking the wrong procedure by considering the House bill without sending it to committee.

"If anything prevails now in the Senate, it is utter confusion," Morse said. "This debate proves, in my judgment, the need for getting a Senate committee report."

Northern liberals, in seeking to bypass the right of jury trial for defendants in civil rights contempt cases, have argued that Southern juries will not convict.

However, O'Mahoney said he has received many indications of support and letters from all parts of the country favoring his jury trial amendment.

Talmadge took the bill, section by section, and ripped it apart as being one wholly unnecessary and even unconstitutional, with legal documentary argument.

TALMADGE ATTACKS

"When Congress undertakes to enact laws giving special rights to minorities which are denied to the majority, then constitutional

safeguards of all the people become meaningless," the Georgia junior senator declared.

"The rights of every American citizen—whatever his color, extraction or national origin—are threatened by this bill," Talmadge added.

Declaring that harmony prevails throughout Georgia among all peoples, Talmadge said he felt in all sincerity and good conscience that he was speaking for the rank and file of all Georgians of every race and color as he opposed the bill.

Attacking the section of the bill creating a civil rights commission to investigate allegations of rights violations, Talmadge scored the powers that would be granted to such a panel.

"No legislation proposed has ever opened an avenue for more flagrant abuse and intimidation of the American public," he said.

It would provide for secret, star-chamber investigative sessions without notice and permit irresponsible and unfounded attacks on individuals without provisions for redress, he argued.

CONFLICT OF INTEREST

The commission would be empowered to accept the services of voluntary uncompensated personnel that Talmadge said would be exempted from federal "conflict of interest" laws.

Nowhere in his speech did Talmadge mention the word Negro or refer to the NAACP. But he has argued previously that the commission would employ NAACP services.

Part three of the bill—the section dealing with injunctive processes to enforce civil rights other than voting rights—are based on Reconstruction statutes that Talmadge pointed out were enacted in the heat of passions after the War Between the States.

Atty. Gen. Brownell has not denied the bill could be used to employ federal troops to enforce integration in all phases of life, public and private, Talmadge asserted.

"God forbid, Mr. President, that our rights and freedoms are in so great jeopardy that they must be preserved under the heels of storm troopers and gun muzzles of tanks," the Georgian said.

JURY BLOCK

Equally as alarming as the



READY TO CARRY FIGHT

Sen. Herman Talmadge

threat of bayonet rule, he said, are provisions of the bill that would interpose the government of the United States between an individual and his right of trial by jury.

It would, he said, permit a politically appointed attorney general to exercise sole arbitrary judgement as to whether someone's civil rights have been violated.

"It will deny Americans the right of trial by jury—a right now guaranteed by law even to rapists, murderers and traitors . . ."

It will make of the attorney general a czar of civil rights superior even to the Constitution of the United States."

Enactment of the bill, Talmadge further declared, "would truly be the death knell for state and local self-government in this country . . ."

"I cannot concede that Congress can improve on the Bill of Rights," he added, "and I will not be a party to ushering in another 'age of hate' to blight an otherwise peaceful nation."

This is no time for witch hunts, he argued, and said he is certain that if the masses of the American people were aware of the bill's contents and its dangers to their liberties they would demand that it be struck down forthwith.

THE RIGHT-TO-VOTE BILL

The lengthy conference President Eisenhower had yesterday with Senator Russell of Georgia indicates the seriousness with which the White House views the major charge brought by Mr. Russell in his speech last week against the civil rights bill. This was the sensational allegation that hidden in one section (Part III) of the bill is "a force law designed to compel the intermingling of the races in the public schools" by the injunctive process, and "to authorize the use of troops" to integrate them.

Although the inflammatory language Senator Russell used in his speech does not contribute to a calm approach to this touchy subject, the fact remains that he has discovered in the pending bill terminology that may indeed be fairly interpreted in the way he chooses to interpret it. In previous discussion of the civil rights measure there has been almost total neglect of this one point. The Administration bill in some way very much like its present form was debated and passed by the House a year ago; the current one was debated and passed by the House again last month; there have been extensive hearings and reports and innumerable speeches on the subject; yet in all this time no one has made a real issue of the possibility pointed to by Senator Russell that the bill might be used to enforce school integration by injunction. The House minority reports both this year and last, and some brief testimony by Attorney General Brownell, do mention this possibility. But until the last few days it has been generally overlooked—so much so that some of the bill's leading proponents now admit privately that they had never even thought of it.

Now, this does not mean that the language is therefore bad, nor that on its merits the section of the bill to which Senator Russell most violently objects should be eliminated. But it does mean that there is every indication that neither President Eisenhower nor the principal protagonists of the Administration bill in Congress considered this measure as anything more than a bill to insure to every American citizen the right to vote in Federal elections, as guaranteed by the Constitution. The President has said as much in his press conferences: "I was seeking * * * to prevent anybody from illegally interfering with any individual's right to vote * * *." Practically everybody fighting for

this bill, and we include this newspaper, has been seeking the same thing. We have viewed it primarily as a "right-to-vote" bill; and, as we have said here before, we believe that the injunctive process without jury trial is a perfectly proper device to enforce this basic constitutional right if necessary.

We also believe with the Supreme Court, and have said many times, that integration of the schools is likewise required by the Constitution. We believe, too, in equality of economic opportunity for all races—a point that was originally included in and then eliminated from the Administration's civil rights proposals. But not all of these rights can be enforced in precisely the same way, nor can some be effectuated as quickly as others.

It would in no way prejudice the inexorable forward march of school desegregation in the South to make it clear that this bill deals exclusively with voting rights, which is what almost everybody had thought all along it deals with. Integration of schools is quite another matter; and although it may well be that the devices used in the pending bill may ultimately be found necessary to enforce the desegregation decision as well, it is the part of wisdom to take one step at a time and concentrate now, in this law, on the basic right of a free ballot.

Of course the entire question of amending the civil rights bill is premature anyway, because technically the question now before the Senate is whether or not to take up the measure at all. The Southern oppositionists haven't a leg to stand on—though they have strong voices—in the debate over making this bill the pending business. Once that is done, then will come time for amendments and limitations. The Southern die-hards, Senator Russell included, are not going to like the bill in whatever form it emerges. Much more important than whether or not they like it is the question whether it is an equitable, moderate, enforceable bill in conformity with our best traditions. We think that it can easily be made just that.

We must counter it with wires or letters to our Senators urging them not to retreat from their announced position of backing the civil rights proposal as it now stands.

This we must do now without fail. Should the supporters of the bill get the idea that those whom the measure favors are the least interested in its passage, they would lose heart and let the legislation be defeated.

In such an eventuality, we have ourselves to blame. For, in the game of power politics which is being played, only pressure yields to pressure.

The House has already done its part by giving its blessings to the measure. President Eisenhower has urged its enactment, and Vice President Nixon has adroitly ruled against the technicalities that were meant to block consideration of the bill.

It becomes now our solemn and inescapable responsibility to lend our voices to the concert of liberal forces that are trying to put an end to the undemocratic practices in the Southland and the continued flaunting of basic constitutional guarantees.

We who exercise the right to vote in the North can best help our brothers below the Mason and Dixon line by putting pressure on the northern senators who are wavering because we have not made emphatic enough our position on the burning issue of civil rights.

We have an obligation to ourselves as well as to the survival of the priceless principles of social justice to join the battle.

History has shown us at the cost of blood and tears that the principles of fundamental justice cannot thread through the fabric of representative government without the stout backing of those who believe in them unreservedly.

Slavery was abolished upon the bodies of a million dead. But what good is citizenship without the full privileges of citizenship.

Let us bolster up the sagging spirit of our Senators by letting them know through telegrams or letters that we stand firmly behind them, and that we expect them to hold the line for civil rights and for American democracy.

to describe their unique weapon against legislation they oppose. They prefer to say that they plan a "full discussion of the issues" and leave it to their listeners to decide whether the "discussion" will continue until the Senate, exhausted and pressed for time, must turn to other matters.

Last week the outlook for one of those "discussions" grew as Southerners gathered for a last-ditch fight against the administration's civil rights bill. The Dixie forces, led by Senator Richard Russell, Democrat of Georgia, warned that quite a few Senators would have a lot to say when the bill comes up.

Senator Russell, with the air of a man who knows his cause is doomed but is determined to fight to the last, challenged the civil rights proponents Tuesday on the Senate floor to arrange a national referendum on the issue.

The distinguished Georgian called the House-passed bill "the most cunningly devised and contrived piece of legislation I have ever seen." He compared it to the stringent laws enacted after the Civil War, when a Reconstruction Congress tried, as he put it, to "put black heels on white necks."

The Southerners object particularly to a provision of the bill which would permit the Attorney General to seek injunctions against anyone depriving another person of civil rights. Contempt cases arising from such injunctions would be decided not by a jury but by a Federal judge—a procedure which opponents have attacked as a denial of a basic American right.

President Eisenhower, at his Wednesday press conference, gave some solace to the embattled Southern bloc. For the first time, he appeared willing to consider amendments to the civil rights bill, although he rejected the Russell suggestion that the merits of the measure be put to a Nation-wide popular referendum.

Mr. Eisenhower said the bill, as submitted by the administration and passed by the House, simply sought to prevent anyone "illegally from interfering with any individual's right to vote . . ." But, the President went on, "I find

that men, men who are highly respected in their States and the Senate, have suddenly made statements, 'this is a very extreme law, leading to disorder,' and all that sort of thing. This, to me, is rather incomprehensible, but I am always ready to listen to anyone's presentation to me of his views on such a thing."

Sets Off Rumors

Considered as an invitation to Senator Russell to visit the White House to plead his cause, the President's remarks sparked reports that the administration was willing to back off from the civil rights program. There was the inevitable dark talk of a "deal," just as there had been a week ago when the Hells Canyon Federal dam bill won in the Senate by virtue of a few Southern votes.

But there was no evidence to back up the rumors. Senator Russell, when told of the President's press conference statement, said only that "I should be glad to meet with him in any circumstances he might prefer, alone or with others as he might wish." This seemed to leave the matter up to Mr. Eisenhower for the time being, and the Southerners went on with their strategy sessions.

As preparations for the Senate battle neared completion, preparations for another episode in the civil rights controversy were being made in Knoxville, Tenn. Tomorrow the trial will begin there of 16 persons charged with violating a Federal judge's order against interfering with the integration of the public schools. A jury will sit on that trial, and its reaction and verdict can be expected to figure in the Senate debate on the civil rights bill. (See story by William Hines on Page A-23.)

Let's Write For Our Rights

In a desperate last minute attempt to scuttle the Administration's civil rights program, Dixie's segregationist spokesman, Sen. Richard D. Russell (D-Ga.), trudged to the White House to plead for the Southern cause. He made what must have been an eloquent plea for the southern point of view.

Civil Rights Bill: Discussion

Southerners in the Senate don't like to use the word "filibuster"

Editorials

Senator Russell's Bloody Shirt

Characteristically facing backward, like the gigantic monolithic statues on Easter Island, Senator Richard B. Russell of Georgia, on the eve of our annual Independence celebration, launched the expected Southern Senate filibuster by waving the bloody shirt of race war a la Reconstruction days.

The pride and joy of Winder, Ga., who owes his political eminence and reputation as Elder Statesman to the disenfranchisement of his black constituents, impliedly and understandably is opposed to Negroes in his state or elsewhere in the Deep South having the right to vote freely since this would end the dictatorial one-party system by which he and his kind flourish.

So the U. S. Senate's time was taken up listening to references to events a century past and to predictions of a dark and bloody future if the pending bill to enable millions of Southern citizens of color to have access to the ballot free of white terrorism became law.

Like the Carpenter in "Through the Looking Glass," who wept in sympathy as he ate all the little oysters, the "distinguished" Georgia solon sobbed in anticipation of what would happen if the Eisenhower civil rights bill were enacted.

There would be "unspeakable confusion," "bitterness and bloodshed in a great section of our common country," and "there are not enough jails to hold the people of the South who will today oppose the use of raw Federal power to forcibly commingle white and Negro children in the same schools and in the same places of entertainment."

Carefully analyzed and interpreted, these gloomy predictions are nothing more or less than further incitements of the mob to forcibly oppose any legal effort to enforce the 14th Amendment to the Constitution by the Federal Government sworn to uphold the Constitution.

While the ghastly and forbidding thought of colored U. S. citizens freely exercising the right of suffrage in his rural Georgia causes the "distinguished" Senator to shudder violently while waving the bloody shirt, he has spasms at the prospect of colored and whites commingling in schools, restaurants, hotels and parks.

With his bleary eyes glued on the post-Civil War era, Senator Russell seems oblivious to the fact that for some years now the two "races" have been "commingling" on dining and sleeping cars in his state without such dire consequences as he predicts; to say nothing of "commingling" in other places, as the wide chromatic variations in skin pigmentation among Georgians would indicate.

It would scarcely be unjust if the Georgia prisons and road camps were emptied of Negroes and their cells

taken over by the members of the White Citizens Councils, the Ku Klux Klan and signers of the Southern Manifesto who would have at least ONE white institution left which Negroes would not attempt to "invade"!

The "able" Senator's final suggestion that the issue of civil rights be referred to a nationwide referendum could be a boomerang (if it had a chance of being done) because the American people everywhere except in Dixie have already made their position clear by state legislation and general acceptance of it.

Instead of this nationwide poll on civil rights, we suggest that Senator Russell lay aside the bloody shirt and, joining with fellow-signers of the Southern Manifesto, stump Dixie urging a local referendum on civil rights with every Southerner (colored and white) allowed to vote freely—and having his or her vote honestly counted!

This would be an impressive and convincing demonstration of patriotism and democracy which would have national and global repercussions.

Foes of Civil Rights Bill Hope for Offer to Soften Provisions

President's Mind Is Open,

Sen. Russell Finds

By WILMOT HERCHER

WASHINGTON, July 10 (AP) — Southern foes of the civil rights bill were reported today to be looking to the Eisenhower administration for a compromise offer which might soften the terms of the measure.

Their hopes appeared to be aroused by a report from Sen. Russell (D-Ga.) that President Eisenhower's "mind is not closed to amendments which would clarify the bill."

Russell, leader of the Southern opposition, spent about 50 minutes with the President today. He said he had asked for the appointment to discuss the bill, with particular reference to some provisions he regards as "very extreme."

Ike Makes No Commitments

Eisenhower was understood to have made no commitments and to have mentioned no specific compromise proposals. Nevertheless, Russell was obviously hopeful that some administration move might be forthcoming.

A few hours after Russell discussed his White House visit with newsmen, chairman Celler (D-NY) of the House judiciary

committee complained that "there seems to be no fight in the administration."

"The President bends with every wind," Celler said in a statement. "I can't see a Truman or Roosevelt—Teddy or FDR—yielding so pusillanimously. We liberal Democrats went out on a limb in fighting for this bill, a limb the administration now would cut off."

Nonsense, Says Celler

"This so-called 'concern' as to the breadth and scope of the bill," the New Yorker asserted, "is just plain nonsense. Every detail of the bill was explored and debated (in the House) over and over again, ad nauseam."

Vice-President Nixon, the presiding officer of the Senate, was quoted Wednesday as saying he "fully expects" the Senate to pass the civil rights bill "in some form" before Aug. 15. Rep. Griffin (R-Mich) reported that Nixon made the statement at a breakfast meeting of freshman GOP congressmen this morning.

Meanwhile the Senate went through the third day of its debate on a motion to bring the bill to the floor.

section defense of the bill.

He said the government calls on Negroes to pay taxes and sacrifice their lives as soldiers, and that it should safeguard their rights as American citizens.

Dirksen scoffed at the opposition's talk about the use of "force, troops and bayonets" under authority of the bill. He said the measure simply points a way in which the country "can go forward, and we should do so."

Before the Senate recessed for the day at 7:21 p. m. (EDT) Sen. Olin Johnston (D-SC) launched into a speech declaring the bill would set back race relations in the south 100 years. It would, he predicted, result in

the shedding of blood, which would be "on the hands of every member here who votes to pass this legislation."

Sen. Sparkman (D-Ala) had made an attack earlier on what he said were the bill's grants of authority to federal judges to penalize persons for contempt of court without jury trials.

Sparkman contended the legislation's attempt to improve voting rights would strike down a fundamental American right that had been won during centuries of struggle.

Under the bill, he said, judges could issue injunctions against local voting and school officials and then impose penalties without jury trials.

"This represents bad law," he declared.

Could Propose Changes

In the course of private compromise talk on Capitol Hill it was pointed out that the administration could propose changes in the language of the bill passed by the House June 18. It was said the changes might be proposed at the proper time by Sen. Knowland of California, the Republican leader, as a result of conferences with Atty. Gen. Brownell and others.

There seemed little likelihood that any proposals would be brought forward publicly until

there is a vote on Knowland's motion to bring the bill actually before the Senate.

But the Southern Democrats seemed to be in a mood to accept some private, informal understandings about what would be proposed in exchange for allowing the bill to come to the Senate floor without lengthy debate or perhaps even a filibuster.

They know that delay could only result in a motion to limit debate, and they are reported to fear that supporters of the bill might get the 64 votes necessary to silence the opposition.

If that happened, the Southerners would have lost vital ground in what was at best a preliminary skirmish to prevent the Senate's taking up the bill. They feared that if 64 senators recorded themselves for a debate limitation once they would do it again when the vital question of voting on the bill was reached. That would end any filibuster, the South's most potent weapon against the legislation.

Because of the maneuvering behind the scenes, some Senate leaders were saying privately a vote on Knowland's motion might be reached by next Wednesday. This timing might depend on whether the Southerners in the meantime received private assurances that compromise proposals on the bill's terms would be forthcoming.

Knowland wants a vote by the end of this week. He has announced he will review the situation tomorrow and then decide whether to try to force the Senate

into round-the-clock sessions and thus speed up a decision.

Sen. Lyndon B. Johnson of Texas, the Democratic leader, is represented as believing a vote might be reached by next Wednesday if the Southerners are not angered by any attempt to push the Senate into 24-hour-a-day sessions.

Russell reported after his White House conference that Eisenhower is against the enactment of any "punitive" civil rights measure.

"He wants a civil rights bill," Russell added, however.

The President has repeatedly described the legislation as decent and moderate, but Russell contends it would push the South back to the Reconstruction era which followed the War Between the States and open the way for forced racial integration in Dixie schools.

TOO STRINGENT, ANDERSON SAYS OF RIGHTS BILL

Times Recorder
**Joins Russell's Move to
Scrap Section III**

New York Times
By JACK BELL

WASHINGTON, July 14 (AP)—Supporters of the administration's civil rights bill split today over the issue of scrapping a section which critics contend is aimed at "punitive" action against the South.

Plan 7-15-57
Sen. Anderson (D-NM) announced he is drafting an amendment paralleling one offered yesterday by Sen. Russell (D-Ga.), captain of the bill's foes.

Anderson said his proposal would strike from the House-passed bill part III. This authorizes the attorney general to seek federal court injunctions against violations or threatened violations of civil rights in general. Judges who issue the injunctions could enforce their obedience with fines and jail sentences without jury trials.

VOTING RIGHTS UNAFFECTED

Anderson's amendment would not disturb another section permitting similar action in cases involving voting rights. President Eisenhower has said the protection of such rights is the primary objective of the legislation.

Other sections of the bill would establish a civil rights commission to make a two-year study of civil rights problems, and create a Civil Rights Division in the Justice Department headed by an assistant attorney general.

Sen. Mundt (R-SD), describing himself as a "neutral" in the fight, announced yesterday he will offer a substitute bill which would strike out part III and also include a so-called jury trial amendment previously offered by Sen. O'Mahoney (D-Wyo). This would provide for jury trials in federal court contempt cases where the facts are in dispute.

WOULD RESTRICT SUBPOENA

Mundt's plan also would restrict the subpoena powers of the proposed civil rights study commission.

Sen. Douglas (D-Ill), like Anderson a supporter of the House bill, said in a separate interview he will fight any effort to eliminate part III.

"I shall resist any amendment," Douglas added. "The bill is okay the way it is. It is a moderate bill."

'ONLY FOR RETURN'

The department announced last Dec. 28 that the passports of the three "will be made valid only for return to the United States." However the three newsmen—William Worthy, reporter for the Baltimore Afro-American, and Edmund Stevens and Phil Harrington, reporter-photographer team for Look magazine, managed to keep possession of their passports.

Plan 7-15-57
Worthy's passport subsequently expired and he applied for a new one. The State Department turned him down on April 1, saying there was reason to believe Worthy would not abide by "geographical limitations." Worthy has appealed from this ruling.

Dulles told his news conference on March 5 that the government had no plans for taking legal action against the three.

Anderson, who led an unsuccessful fight last January to eliminate filibusters by changing the Senate's rules, said he has become convinced the House bill is "too stringent."

"When millions of people in the South register opposition to this bill, as they have through their senators, it is time to stop and think about its enforcement," Anderson said. "We should remember prohibition as an example."

"I want the Negroes to vote and

Times Recorder
I believe that if Congress passes a bill guaranteeing them the right to vote it will be respected. But if the South does not then cooperate to let them vote, it will not be difficult to amend the bill to put some enforcement teeth in it."

Russell hailed Anderson's statement as "highly encouraging" in advance of a vote Tuesday by which the Senate is expected to bring the administration bill officially before it.

RUSSELL HAILS ANDERSON

"Sen. Anderson is an acknowledged leader of the civil rights forces," Russell said. "I am encouraged when he agrees that punitive measures should not be taken against the South."

The Senate resumes debate tomorrow on a motion by Senate Republican Leader Knowland of California to take up the bill. Southern opponents, who blasted the measure during six days of debate last week, seemed likely to consume most of the time until the Senate votes, by unanimous agreement, late Tuesday.

Douglas, who has joined Sen. Javits (R-NY) and others in urging the bill's backers not to talk of compromise, said he thinks Part III of the bill should be preserved to provide additional methods of enforcement of the "good decisions" of the Supreme Court in civil rights matters, including school desegregation.

He scoffed at Southerners' contentions that these enforcement methods would entail "punitive" action against a whole section of the country. He said desegregation should be gradual.

In a TV interview (ABC-Open Hearing), Russell repeated his charge of last week that Section III of the bill is a "cunningly devised section" which is obscure in design and aimed at holding "bayonets to the throats of Southerners."

'Insult,' Says Russell

As written, he said, the bill is a "flagrant insult to the people of the South" because it says every Southerner will perjure himself in court where a Negro is involved.

Russell repeated his charge that it was a "smokescreen" for backers of the bill to label it as one designed to guarantee equal voting rights. He said its aim is to force "cointermingling of the races in the public schools and in public places of amusement."

Discussing race problems in the South, the Georgia senator said:

"Great changes come about as evolution. If you use revolution and strong arm tactics you are going to destroy the efforts of men of good will, both white and Negro, over a great number of years."

Russell said the Negroes had made "amazing progress" in the South since emancipation which "cannot be equalled anywhere on earth where Negroes live."

Ike Makes No Concessions, Russell Says

Post-Herald
Shuro. 7-11-57
B'ham Ala
**President Promises
No 'Punitive' Drive
Against South**

WASHINGTON, July 14 (AP)—Vice President Richard M. Nixon told a group of House Republicans today he expects the Senate to pass President Eisenhower's civil rights bill without making any major concessions to its Southern foes.

Nixon made his prediction after Sen. Richard B. Russell (D., Ga.) said Mr. Eisenhower assured him at a 50-minute White House conference the administration would not use any new civil rights law to launch a "punitive expedition against the South."

As the Senate held its third day of debate on the issue, Nixon discussed the bill's prospects privately with members of the 85 Club, which is composed of first-term Republican House members. Participants relayed his remarks to reporters.

Rep. Edwin H. May Jr. (R. Conn.), the club's secretary-treasurer, said Nixon is optimistic about the fate of the legislation in the Senate. He said Nixon told the group he is determined to get the bill passed, "no matter how long it may take."

"It is his feeling the bill will go through without compromise," May said. He said Nixon believes the Senate at most would adopt only some amendments to clarify the language of the bill.

May said he understood Nixon to mean he expected no substantial change in the bill, such as the addition of a provision guaranteeing jury trials for persons accused of violating civil rights injunctions.

Sen. Joseph C. O'Mahoney (D., Wyo.) has proposed such a provision as the basis for possible compromise in the dispute. The Southerners have made a prime target of the failure of the House-approved bill to guarantee jury trials in civil rights cases.

May said Nixon indicated he looks for a Summer-long fight. If the debate extends through August, Nixon was quoted as saying, he expects the House to recess, pending the outcome of the Senate struggle.

Russell, the veteran leader of the Southern bloc, arranged his meeting with the President in order to outline the reasons for his opposition to the administration bill.

After his conference, Russell indicated to newsmen he failed to win any major concession from the President. But he said the President's mind was "not closed" to amendments designed to clarify the bill.

He said the President definitely wants congressional approval of a civil rights bill.

But he said, "I found no intention of purpose on his part to go to any punitive expedition against the South." Russell said he told the President about some implications of the bill that Mr. Eisenhower "hadn't considered" before.

As a result of his parley with the President, he said, "we both have a much better understanding of the other's views."

The Senate is not expected to vote until next Tuesday or Wednesday on the motion of Senate Republican Leader William F. Knowland (Cal.) that the Senate actually take up the House-approved bill. Approval of his move is considered virtually certain.

Post-Herald
The Senate is then expected to plunge into a long Southern filibuster against the bill itself. Knowland has predicted that the talkathon would last about eight weeks.

7.2
As approved by the House, the bill would (1) set up a presidential civil rights commission; (2) establish a civil rights division in the Justice Department; (3) authorize court suits to protect civil rights and (4) provide greater protections for Negro voting right.

Before Nixon spoke to the GOP House members, Chairman Emanuel Celler (D., N. Y.) of the House Judiciary Committee, chief sponsor of the House bill,

chided the administration for what he called its failure to insist on an unchanged bill.

Celler particularly denounced moves, advanced by some Senate Republicans privately, to go along with O'Mahoney's proposal for jury trials in civil rights cases.

"There seems to be no fight in the administration," he said. "The President bends with every wind. I can't see a Truman or a Roosevelt — either Teddy or FDR — yielding so pusillanimously."

"We liberal Democrats went out on a limb in fighting for his bill, a limb the administration now would cut off," he said. "Apparently the administration began with a bang and now goes out with a whimper."

10 1957

Ike Reaffirms Support Of Civil Rights Bill

By LOUIS LAUTIER

WASHINGTON, D.C. (NNPA) —

Senator Richard B. Russell, Democrat, of Georgia, apparently was unable to convert President Eisenhower Wednesday to the view that the Administration's civil rights bill is a drastic measure aimed at forcing racial integration in the public schools down the throats of southern white people at the point of a bayonet.

After he had talked with President Eisenhower for 50 minutes, Senator Russell, leader of the southern opposition to the civil rights bill, told reporters at the White House that he felt "as well as I could under the circumstances," but he could not say that he felt better upon coming out of Mr. Eisenhower's office than he did upon going in.

The meeting between the President and the Georgian resulted from a remark made by Mr. Eisenhower at his news conference on July 3. The President said then that he found it rather "incomprehensible" that highly respected Senators had made statements that the Administration's civil rights proposals were extreme and would lead to disorder, but he was willing to listen to anyone's presentation of his views to him.

The President's remarks were made the day after Senator Russell had made a bitter speech on the Senate floor attacking the bill as a "cunning device" aimed at forcing racial integration in the South.

Senator Russell told reporters at the White House after he had seen the President that "I requested the President to give me an appointment to discuss the so-called civil rights bill with particular reference to some of the provisions which I regard as being very extreme and he invited me down and we discussed it for about 50 minutes."

The Georgian declined to quote

what Mr. Eisenhower had said to him during the 50-minute discussion.

"I pointed out that this bill went far beyond the objectives that had been drawn from his several press conferences and public statements in this field."

Mr. Eisenhower has repeatedly said in recommending the pending legislation he is seeking to create a bipartisan commission on civil rights in the executive branch of the Justice Department, and to protect the right of citizens to vote in federal elections.

Asked about whether there had been any discussion between him and the President concerning amendment of the pending bill, Senator Russell said he did not think it was appropriate for him to go beyond the statement of Senator William F. Knox, of California, Tuesday that the President's mind is not closed to amendments that would clarify the bill.

In their conference, Senator Russell said, he did not spell out any "express verbiage" to the President relating to amendments. He said he went to the White House to discuss the bill -- not verbiage. Senator Russell declined to be drawn into any comment the President may have made with respect to any specific views "I may entertain on the bill."

"Do you think there is any possibility of a compromise on the measure?" a reporter asked.

"That would be such an assumption that I would not want to make any definite statement," Russell replied. "I do not think I should really go into that. The President had a somewhat different view of the purpose of the bill from that I entertain."

Senator Russell said Attorney General Herbert Brownell, who drafted the bill, was not present at the conference. The only other person attending the conference,

he said, was Major General William B. Parsons, the Deputy Assistant to the President, who serves as legislative liaison between the White House and the Congress.

Part III of the bill was discussed with the President, Senator Russell said.

Russell said, "I consider that the most objective feature of the Part III would amend the old Ku Klux Klan Act which provides a civil remedy in damages in a person damaged as a result of conspiracies to deprive one of certain civil rights."

It would empower the Attorney General to bring civil suits for injunctions to prevent violations of the civil rights protected in the Ku Klux Klan Act and would give Federal district courts jurisdiction to entertain such suits regardless of whether the aggrieved person had exhausted his state administrative and judicial remedies.

Southerners contend that Part III of the bill could be used against state boards of education county and city boards of education and against local school systems and that the President could use the armed forces to enforce decrees obtained under the section.

Attorney General Brownell and advocates of the legislation insist that Part III would not add any right to the rights presently protected but would merely give the Attorney General the right to bring a civil action to prevent threatened or attempted violations of such rights.

Senator Russell said he could not expect the President to spend the entire day discussing the legislation with him.

Discussion there were some developments, at least, which I emphasized, that the President had not considered," the Georgian said.

Senator Russell said the President's attitude was "very friendly." He added that "Of course, the President is determined to pass

SENATOR RUSSELL

a bill that bears the title of civil rights legislation."

It would have been foolish for him to have thought he could have convinced the President otherwise, he said.

"He wants a civil rights bill," Russell emphasized, "and I found nothing in the President's attitude that would indicate any intention on his part to enact punitive legislation."

Senator Russell made it clear that he was not implying that the President wanted a measure without any teeth.

"The President has made it clear that he is strongly in favor of and is pressing for passage of civil rights legislation," he said.

Russell said "There are extremists on both sides that would promote any kind of legislation," Russell said, apparently referring to the Republican and Democratic sides.

"I hope that the majority of the Senate and have great faith that the Senate would not pass any legislation of extreme terms as this," Russell said.

He also said: "This is the first time I discussed it (civil rights) harmony. I think both understand better the other's viewpoint."

"Have you any doubt that some legislation will be passed at this session?" a reporter asked.

"That is a question that depends upon a lot of ifs," Russell replied. "I doubt it very seriously."

"Would a bill restricted to the right to vote be more palatable to you?" a reporter asked.

Russell avoided giving the answer that no matter how amended the civil rights bill would not be accept to him and the southern bloc he represents.

Replying to the question, he said colored people not only vote in Georgia but a distinguished colored person, Dr. Rufus E. Clement, president of Atlanta University, has been elected and reelected to the Atlanta Board of Education, and about 30 or 35 per cent of Atlanta's population is nonwhite.

Senator Russell did not eliminate the possibility of his seeing the President again. "I do not know of any occasion for me to see him again," he said.

"The President has outlined his objectives," Russell said. As stated at one of his press conferences, he is not a lawyer and has not studied all details of the bill.

"I undoubtedly emphasized some of the features of the bill that I doubt any man who is President of the United States could have had time to have done with his multitudinous duties."

Asked who had done most of the talking, Russell replied:

"I would assume that I used most of the 50 minutes."

Russell's 'Temporary Insanity'

In a profile of Senator Richard Brevard Russell of Georgia, timed to coincide with Senator Russell's leadership in the fight against the civil rights bill, *The New York Times* is generally fair.

The Times has many good things to say of the distinguished Georgian. But toward the end of the article, this sentence appears:

Repeatedly he [Russell] tells his friends—this *ordinarily* [italics ours] urbane man of legal distinction—that the South is the victim of a campaign of "conscious hate."

By "ordinarily," *The Times* is saying that when discussing the race issue Russell's judgment falters, his faculties dim, for certainly he could not otherwise believe the South is the victim of a hate campaign.

Unfortunately, this attitude of *The Times* is fairly general, seeing bigotry as a one-way street. It is an attitude that holds that the South cannot be the victim of bigotry and hate because it is the known, proven perpetrator of all the hatred generated in the racial debate. Negroes, and their partisans, cannot possibly be guilty of South-baiting because. . . well, because they are Negroes and therefore wouldn't be guilty of such.

As the renowned sociologist David Reisman has written of such attitudes, they sail dangerously close to being prejudice in reverse.

Senate showdown on civil rights bill

Opp. - Democrat
July 20-57
Baltimore Md.
WASHINGTON—Southern assertions that the civil rights bill could be used to force school integration, or that troops may be used for that purpose, were roundly declared "without foundation" by proponents of the measure.

This was the situation this week as the Senate neared a legislative showdown on the administration bill which was occupied the Senate's time since Monday July 8.

The Senate was scheduled Tuesday to take up a motion to formally consider the bill.

In the meantime, Southern opponents of the bill have been trying desperately to talk a compromise. Too, they have been threatening to delay action on the measure with all kinds of crippling amendments.

LATEST OF these proposed amendments came from Senator Richard B. Russell (Dem., Ga.), who said Saturday he would offer an amendment to require Senate confirmation of any Presidential appointee as staff director of the proposed civil rights commission.

At the same time, Sen. Russell proposed abolishing the provision in the bill granting the federal government power to block threatened or actual deprivation of citizens' rights.

Both proposals were made in an unusual Saturday session of the Senate.

Opp. - Democrat
July 20-57
ALSO ON Saturday, Senator Karl Mundt (Rep., S.C.), suggested a substitute bill in which the enforcement clause would be deleted except for violation.

Just how these proposals would be accepted by advocates of the bill was still a \$64,000 question early this week.

July 20-57
EARLIER developments saw Sen. Russell lose two efforts to delay and weaken the bill.

He failed Monday in an attempt to have the bill sent back to the House of Representatives. He claimed the bill now before the Senate was not the same one which Sen. Knowland a week before had succeeded

in keeping out of the Eastland committee.

Vice President Nixon, who was presiding, promptly spiked this delaying tactic, by ruling the measure, although corrected, was the same bill.

TUESDAY, Russell was given a two-hour audience with President Eisenhower. Emerging from the White House he confessed to newsmen that he had not been able to persuade the President to change his view that the bill was indeed a moderate one.

Mr. Knowland also met with the President at luncheon on Thursday during which the principal topic was the civil rights bill.

Attorney General Herbert Brownell was present and was believed to have explained the administration measure to the President in considerable detail.

MR. KNOWLAND told reporters later that contrary to Democratic charges, the President had not weakened in his support of the measure.

Rumors persisted in the capital throughout the week that some sort of compromise or watered down version of the bill was in the making.

The rumors, widely spread by friends of the embattled Southerners, were quickly denied at week's end by both Mr. Knowland and Vice President Nixon.

MR. KNOWLAND made it clear Friday that under no circumstances would any amendment of the bill be considered until the bill had first become Senate business.

All of the debate last week was designed for the most part to prevent a Senate vote on consideration of the measure.

Democratic Majority leader Lyndon Johnson predicted the Senate would vote, by a two to one majority, to place the bill on the calendar if it were given the opportunity.

A WARNING came from Rep. Emmanuel Celler (D., N.Y.) who piloted the bill

through the House, that as a member of the conference committee, he would not be willing to accept any measure that failed to embody all of the points accepted by the House. Mr. Celler made it clear that he had specific references to the so-called jury trial amendment, first proposed by North Carolina's Sen. Ervin.

Southern filibusters Eastland of Mississippi and Fulbright of Arkansas were challenged Wednesday to show where there is anything in the bill calling for use of soldiers and bayonets for its enforcement.

THE CHALLENGE came from Sen. Prescott Bush of Connecticut, who took issue with impassioned speeches delivered by the two Dixiecrats.

Sen. Jacob Javits (R., N.Y.) also took issue with the extreme statements being made by the Southerners.

Fulbright, replying to Bush, was compelled to admit the bill contained no provisions specifically calling for the use of the army.

The behind-the-scenes quarrel between Sen. Johnson and Fulbright for one of the opening speeches.

A Rhodes scholar, Fulbright has been considered a liberal by Southern definitions, and it was hoped that he could persuade more Northerners to accept the Southern viewpoint.

THAT THE Dixiecrats may have won Ohio's new Senator, Fank Lausche over, was feared on Tuesday.

By his line of questioning, Lausche gave evidence of accepting the Dixie view that the bill should contain a jury trial amendment.

Lausche also voted on June 20 with the Dixiecrats to bury the bill in the Eastland committee.

Senator Russell Defeated In Rights Bill Skirmish

Inform
July 20-57
Senator Richard B. Russell, of Georgia, Leader of the Dixiecrats, bowed Monday in a parliamentary skirmish aimed at sending the civil rights bill back to the House.

If Russell had succeeded in his aim, the bill would have been dead for this session. The House would have had to return the measure and the bill would again have to be read twice and then put on the Senate calendar by a vote of the Senate, and the motion to take it up would have had to be made again.

Russell had raised the issue Monday that the bill which had been put on the Senate calendar was not the measure that Senator William F. Knowland, of California, the GOP Senate leader, had asked the Senate to take up.

Senator Knowland conceded that an error had been made in the bill the House first sent over. A meaningless amendment had been printed in the wrong place in the bill. Senator Knowland explained that a star - printed, or a corrected copy, had been sent over by the House after the error was corrected.

Russell did not press the issue Tuesday to clear it up by submitting a parliamentary inquiry. If his motion to take up civil rights prevailed, Knowland inquired, would the bill before the Senate be the corrected bill.

Vice President Richard N. Nixon, presiding, ruled that star-print or the bill as passed by the House would be the measure which would be before the Senate.

Russell contended that the entire procedure on the bill had been unusual. He pointed out that the Senate Judiciary Committee, headed by Senator James O. Eastland, Dixiecrat, of Mississippi, had been bypassed and the bill placed directly on the Senate calendar.

Russell also pointed out that Senator Olin D. Johnston, Democrat, of South Carolina, had insisted upon the reading of the bill in full and not simply by title.

Knowland replied that the language in the corrected bill is precisely the same as the language in

twice and placed on the Senate calendar except that a House amendment appeared on page 8. He said it should have been inserted on page 12.

Russell made a point of order against the ruling of Vice President Nixon that the star-print bill was the substitute for the incorrect bill and that the procedure was valid.

Knowland told the Senate that there was nothing unusual in the procedure. He said errors in bills have been corrected in that way for 50 years. "No damage is done," he said. "We are just trying to get the bill before the Senate so that the Senate can act as a legislative body."

Senator Everett M. Dirksen, Republican, of Illinois, called Russell's argument "curious." He said he had been informed that engineering errors are made as many as 100 times in every session of Congress and that star-prints have become "settled practice."

Although Russell had asked for a roll-call vote on his point of order, he declined a test of strength of opponents against proponents.

He said he recognized that the "Knowland - Douglas axis" has rules as we go along.

He withdrew his point of order because it is very clear how the Chair (Nixon) will rule and that might set some sort of precedent.



Albert Riley
Constitution

Sen. Russell Rallied
Wed. 7-17-57 P. 4
Support for South
Atlanta Ga.

WASHINGTON—A week ago this column pointed out that Sen. Dick Russell's July 2 speech unmasking the civil rights bill was a master tactical

stroke. Since then evidence has increased that it may well go down as one of the major speeches of recent years on the floor of the U.S. Senate.

Rarely has a single speech changed so sharply the climate of opinion over an important political issue. Only time will tell how effective the speech eventually will be as the debate rages on over civil rights.

But certainly there has been so far this week more soul-searching about the civil rights issue on the part of a number of non-South senators and writers in the national press.

Until Russell spoke out, it was obvious many senators, congressmen, editorialists and even President Eisenhower himself did not

understand fully the civil rights bill. To them it was just a moderate, right-to-vote bill and not, as Russell pointed out, a cunningly contrived measure to force racial integration on the South.

At first, some liberal editors, columnists and radio and television commentators sought to belittle Russell's argument as merely a sign of Southern frustration and desperation.

But before last week was over, some phases of the bill were being questioned by such publications as the Washington Star, the Wall Street Journal and the New York Times, through its astute political analyst, Arthur Krock.

President Eisenhower's willingness to listen to Russell in a conference at the White House was, of course, another indication of the administration's concern over charges laid down by such a moderate, respected man as Georgia's senior senator.

Just what the outcome will be, no one knows. But at this writing, it seems that as a result of Russell's attack the Southerners have a good chance of getting the bill modified to a right-to-vote bill with a jury trial proviso.

10 1957

SENATOR RUSSELL

South Holds the Votes To Cut Injunctions from Rights Bill, Russell Says

But Warns Constitution Ike Could Turn Tide
Tr. 7-19-57
Atlanta Ga.
 By ALBERT RILEY

Constitution Washington Bureau
 WASHINGTON, July 18—South-

ern senators at the moment have picked up enough support to confine the administration's civil rights bill to a protection of voting rights, Sen. Russell said tonight.

However, Russell was quick to add that whether the Southerners achieve this goal depends on what pressures may be brought to bear against it by high Republican officials and the Eisenhower administration.

Reeling under a heavy Southern attack on Part 3 of the bill, Northern liberals were fighting a delaying action to prevent adoption of a non-South, bipartisan amendment to strike Part 3 in its entirety.

This is the controversial section that would give the attorney general power to obtain federal court injunctions to enforce all manner of civil rights. The Southerners say it would permit federal enforcement of racial integration in schools and other public places.

PUSHING HARD

The amendment to strike out this provision has been offered

by Sens. Anderson (D-NM), and Aiken (R-Vt), and the Dixie Democratic forces are pushing hard for its adoption.

Russell predicted the Senate will adopt it unless the Republican Party leadership and the administration put on powerful pressure between now and Monday.

But the Georgian conceded that the Southern strength is now at its peak.

The Dixie forces would like to vote now, if the stalling civil rights forces would let them.

"We had the votes yesterday and we had them today," Russell said, "but I can't guarantee what we will have tomorrow. Very frankly, we are at the peak of our strength now. We have demolished all the pretense and destroyed all the hypocrisy in this bill. And now its proponents are going to work with a vengeance."

Russell said, too, that his own side has a "just begun to fight," and he was optimistic over the chances to get Part 3 drastically modified if not eliminated altogether.

But he warned that "the political pressure groups—like the NAACP, the ADA and Walter Reuther's organizations—are going to work, and their pressure will be very difficult for some senators to withstand."

He pointed out that such pressures can be applied directly on wavering senators and indirectly through the White House over the weekend.

This evaluation, plus liberal Democratic attacks on President Eisenhower's seemingly contradictory statements about the bill's purposes, appear to put Eisenhower in the middle on the whole issue.

A Northern liberal, Sen. Neuberger (D-Ore) charged today that the President has shown a lack of knowledge of and a lack of enthusiasm for the bill. If it is frittered away in compromises and weakening amendments, Eisenhower will be to blame, Neuberger said.

ON DEFENSIVE

Advocates of a strong civil rights measure were clearly on the defensive as Sen. Javits (D-NY) took up most of the day in the Senate denouncing the Anderson-Aiken amendment as one to drastically cripple the bill.

Technically under debate was a milder substitute amendment by civil rights leaders, Republican floor leader Knowland of California and Sen. Humphrey (D-Minn).

The Knowland-Humphrey proposal would keep Part 3 in the bill but would remove one objectionable provision. It would strike from Part 3 any reference to old Reconstruction laws the Southerners have said would permit bayonet rule to enforce racial mixing.

However, Sen. Aiken and Georgia's Sen. Russell branded that federal government—other than a minor concession as merely "a petunia growing in an onion patch—or a patch of poison ivy."

CAUCUS

In the face of mounting opposition to all of Part 3, the Republicans reportedly were planning another caucus to consider a more liberal concession to the South without giving up that entire section of the bill.

A total of 21 amendments to the bill already have been proposed by Southerners and Westerners—including jury trial provisos in contempt cases involving voting rights.

Since the mild Knowland-Humphrey amendment to Part 3 will come up for a vote first, the Southerners likely will vote for it and then press further for the Anderson-Aiken amendment to strike out Part 3 entirely.

Apparently the Southerners were ready to vote any time to achieve that goal. But it was the Northern liberals—who have hurled filibuster charges at the South—who were stalling for time.

'PETUNIA'

The "Petunia" tag was hung on the Knowland-Humphrey concession by Sen. Aiken just after Sen. Russell had attacked it as not acceptable to the South.

Even if the old Reconstruction "bayonet rule" force acts were removed from the bill, Russell had argued, the remainder of Part 3 would still give the attorney general unlimited power to throw the whole weight of the federal government—other than troops—into action against Southern customs.

Aiken arose to ask Russell if he had ever heard of a song entitled "I Am a Lonely Little Pe-

tunia in an Onion Patch."

Russell replied that singing was not one of his accomplishments and that he had never heard the song.

"It is a very catchy little song," Aiken said. "The amendment proposed by the Senator from California and the Senator from Minnesota simply undertakes to plant a petunia in an onion patch, or, I think, if we interpret Part 3 correctly, a patch of poison ivy."

Russell said he appreciated the apt illustration of the senator from Vermont and that he has "not yet abandoned hope that both of the authors of the 'petunia amendment' will undertake to assist in extripating the poison ivy from this bill."

In the course of a nearly five-hour defense of the civil rights bill and Part 3 in particular, Sen. Javits fell into a trap and gave weight to the Southern argument that the Knowland-Humphrey

amendment doesn't amount to much.

In answer to a question by Sen. Anderson, the liberal New Yorker said it wouldn't matter whether the old Reconstruction law was stricken or retained in Part 3. More recent laws give the President the power to use troops to enforce court decrees anyhow, Javits said.

PRESS STUDIES

Sen. Russell, in his speech, said that since his July 2 address that exposed the force provisions of Part 3, he has been gratified by the studies of the bill by the press, senators and lawyers that confirmed his arguments.

"I pay tribute to the fairness of the more responsible press of this country, including some parts of it which are most militant in championship of civil rights legislation, and for fairness in informing the American people of the truth as to the powers contained in this nefarious part of the bill," Russell said.

The Georgian went on to say he was grateful to Sens. Knowland and Humphrey for offering their amendment striking out the Reconstruction statute that would "authorize the use of tanks, cannons, machine guns and bayonets to destroy the only way of life the Southern people have ever

except the bayonet to destroy the system of separation of the races in the Southern states.

our system of government by law and institute government by other citizens. **FEDERAL POWER**

men. But Russell said the minor concession, offered by the civil rights leaders does not go to the heart of the issue. **INADEQUATE**

"It does not in any way limit any wise preclude the harsh use of federal power to intrude government into the rights of the states and into the lives of our citizens. Even with the amendment, Part 3 would authorize the attorney general, according to his whim or fancy, to use every might of the federal government to eliminate the rights of the Southern people."

South Breasts Tide on Rights And Keeps Head Above Water

Dixie Solons Stand Good Chance Of Killing Strictest Provisions

By HAROLD DAVIS

Atlanta Journal Washington Correspondent

Atlanta Journal Bureau
1426 G Street, NW

WASHINGTON, July 20—The civil rights picture has changed drastically in the U.S. Senate since Richard B. Russell of Georgia made his now-famous "bayonet rule" speech almost three weeks ago.

Although it is still practically

certain Congress will pass a civil rights bill of some sort this year, the South is now on the offensive. The outnumbered Dixie senators stand a chance of tearing the strictest provisions out of the measure.

Because the South is definitely on the upswing Sen. Russell and his band of Southerners didn't squawk too loud last Tuesday when the Senate voted 71-18 to take up the Eisenhower civil rights bill. Sen. Russell and company could have stalled the motion to take up the bill with long-winded speeches, but that tactic would have cost them support for some of the amendments they want tacked on the proposal.

On the vote to take up Sens. Kefauver and Gore of Tennessee and Johnson and Yarborough of Texas deserted their Dixie colleagues and voted with the civil rights advocates. Only the senators from nine Southern states stood firm.

BUT THE VOTE wasn't really significant. Russell never had a chance of winning it anyway.

A tally that will really count will be taken early this week—perhaps Monday. It is the vote on the first big amendment the South really wants adopted.

The key proviso was introduced by Sens. Clinton P. Anderson of New Mexico and George D. Aiken of Vermont. The Anderson-Aiken amendment would strike out in entirety Part 3 of the bill.

Part 3 is the section which Sen. James O. Eastland of Mississippi has described as "broad as the moon and deep as the ocean."

It guarantees enforcement by federal court order of unspecified constitutional rights over and above the right to vote. Its provisions could conceivably be extended to break down segregation in every field.

At his press conference Wednesday morning, he backed around, indicating he might favor a compromise.

"I personally believe if you try to go too far too fast in laws in this delicate field," he said, "you are making a mistake."

MR. EISENHOWER said he now is willing to let the senators "do the debating and we will see what comes out. I am very hopeful that a reasonable, acceptable bill will come out."

Sen. Aiken explained that the Tuesday release was prepared just before "the President had left . . . for the Burning Tree Golf Club," and that developments late Tuesday account for the differences between the two statements.

Sen. Douglas declared this "a very interesting exercise in higher criticism and in the writings and public statements of the White House."

The advocates of the bill—Republicans and liberal Democrats—are hoping Eisenhower will buckle himself down to their side and "put the arm" on some wavering Republicans.

At one point in debate, Sen. Douglas, a Democrat normally critical of Eisenhower, quoted the Chief Executive in support of a point he was making. Sen. Russell, in rare form, said:

"When I was a boy, we got our religion pretty raw. When I was small, when anyone mentioned the devil, I saw a creature with long horns, with great scales covering his body, with a long tail with a fork on the end and breathing fire and brimstone and going around with a big pitchfork."

"IF I MISBEHAVED, or did what I was told not to do, I feared I would find myself impaled on the end of that pitchfork."

"I have heard the expression 'as unusual as the devil quoting the Holy Writ.'"

"However, if the devil had sprung up in the Senate Chamber, as I have described him, Southern senator said he sounded and had opened the Bible and 'like a combination of Thaddeus Stevens and Charles Sumner all have been more surprised than I was when the senator from Illi-

nois (Mr. Douglas) started quoting from the remarks of Dwight D. Eisenhower."

Mr. Douglas rejoindered that he could see Mr. Russell already "licking his chops" over the prospect of a victory on the Anderson amendment.

That vote, when it comes this week, will be one of the most crucial for the Dixie senators in the current debate. If Part III is struck, the broad powers of the bill in all fields of civil rights will have been pulled.

AFTER THE tally on the amendment, the Southerners will try to win acceptance of a proviso guaranteeing a trial by jury to persons cited under the injunctive provisions of the proposal. In the bill as now written, they would be tried by federal judge alone.

The jury amendment will be presented by Sen. Joseph O'Mahoney of Wyoming, a Democratic liberal who believes jury trial is essential.

There are indications President Eisenhower may use his influence to defeat the O'Mahoney proposal.

The Southerners appear anxious to get an early vote on the amendments while the tide is running in their favor. The liberal counter-attack is beginning and the pendulum could swing, as it did in the House of Representatives a few weeks back when the same bill was being debated. (The South appeared ahead on the jury trial amendment in the early days of the House debate. It ended by losing every point when opinion switched.)

AFTER THE amendments are voted up or down, the Southerners will start a foot-dragging exercise which will eventually turn into a full-fledged filibuster.

Sen. Russell hopes to get the bill weakened as much as possible through amendment, then killed by filibuster. The Southern solons have made it clear they wouldn't vote for the bill even if the Sermon on the Mount were substituted for it.

Of course, the Southerners will try to keep anything at all from passing. But if a weak measure is finally approved, they may have the last laugh.

Civil Rights Backers Split Over Scrapping Of Injunction Threat

Russell-Type Rider Slated By Anderson

Move by N.M. Senator

Aimed at Prosecution Without Trial

WASHINGTON, July 14 (AP)—Supporters of the administration's civil rights bill split today over the issue of scrapping a section which critics contend is aimed at "punitive" action against the South.

Sen. Anderson (D-NM) announced he is drafting an amendment paralleling one offered yesterday by Sen. Russell (D-Ga.), captain of the bill's foes.

Anderson said his proposal would strike from the House-passed bill Part III. This authorizes the attorney general to seek federal court injunctions against violations or threatened violations of civil rights in general. Judges who issue the injunctions could enforce their obedience with fines and jail sentences without jury trials.

Not Affected

Anderson's amendment would not disturb another section permitting similar action in cases involving voting rights. President Eisenhower has said the protection of such rights is the primary objective of the legislation.

Other sections of the bill would establish a civil rights commission to make a two-year study of civil rights problems, and create a Civil Rights Division in the Justice Department, headed by an assistant attorney general.

Sen. Mundt (R-SD), describing that removal of the controversial himself as a "neutral" in the Part III would ease strong South fight, announced yesterday he will offer a substitute bill which would strike out Part III and also include a so-called jury trial amendment previously offered by Sen. O'Mahoney (D-Wyo). This would provide for jury trials in federal court contempt cases where the facts are in dispute.

Mundt's plan also would restrict the subpoena powers of the proposed civil rights study commission.

Called Un-American

Russell, leader of the southern bloc, declared on a TV program that the bill is "a severe and un-American measure, in my opinion," and has as its primary purpose "not voting rights, but to enforce the intermingling of the races in the public schools at the point of a bayonet, if need be."

Russell said he believes civil rights pressure groups have convinced leaders of both political parties that whichever does the most to win civil rights legislation will win the presidential election of 1960. He said much of the pressure for the bill, backed by such organizations as the National Assn. for the Advancement of Colored People and Americans for Democratic Action, was "shot through with politics."

The Georgian conceded earlier that the motion to make the bill the pending business will probably pass. He said he hopes it will be defeated but said he recognizes "the realities" of the situation.

To Fight Effort

Sen. Douglas (D-III), like Anderson a supporter of the House bill, said in a separate interview he will fight any effort to eliminate Part III.

"I shall resist any amendment," Douglas added. "The bill is okay the way it is. It is a moderate bill."

There were no concrete signs

that removal of the controversial Part III would ease strong South fight, announced yesterday he will offer a substitute bill which would strike out Part III and also include a so-called jury trial amendment previously offered by Sen. O'Mahoney (D-Wyo). This would provide for jury trials in federal court contempt cases where the facts are in dispute.

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There were no concrete signs

think about its enforcement," Anderson said. "We should remember prohibition as an example."

"I want the Negroes to vote and I believe that if Congress passes a bill guaranteeing them the right to vote it will be respected. But if the South does not then cooperate to let them vote, it will not be difficult to amend the bill to put some enforcement teeth in it."

May Ask National Referendum

Russell Says Present Civil Rights Bill Would Bring 'Bayonet Rule' in South

By Richard L. Lyons
Staff Reporter

In a biting Senate speech warning of bayonet law in the South, Sen. Richard B. Russell (D-Ga.) yesterday called for a national referendum on the Administration's civil rights bill if it does pass Congress.

The Southern bloc leader repeated his charge that the right-to-vote label on the bill is a smokescreen to hide its real purpose of forcing racial integration of schools and other public places upon the South. He added that sections of the bill are grafted onto old laws which permit enforcement by Federal troops.

Senate's 2-member Rules Subcommittee agrees to disagree on unlimited debate rules.

Page A2

Passage of the bill as it stands, said Russell, "will cause unspeakable confusion, bitterness and bloodshed" in the South.

"If you propose to move in this fashion," he continued, "you may as well prepare your concentration camps now, for there are not enough jails to hold the people of the South who will today oppose the use of raw Federal power to forcibly commingle white and Negro children in the same schools and in places of public entertainment."

Russell told reporters he will offer wording of the referendum question as an amendment to the bill. It would be put before the voters at the 1958 congressional elections. A majority of the popular vote would determine whether the bill became law.

Russell admitted his proposal was unprecedented. He said he didn't see how proponents could turn it down "if, as they say, a great majority of the people favor the legislation."

Proponents said privately they would oppose it on grounds that they were sent to Congress to pass on such questions.

May Ask National Referendum

Russell Says Present Civil Rights Bill Would Bring 'Bayonet Rule' in South

Senate Republican Leader William F. Knowland (Calif.) said he plans to move to call the House-passed civil rights bill up for Senate action early next week. The minute he does that the Southern filibuster will start. Supporters of the bill will try to break it first by round-the-clock sessions and finally by the difficult closure route of rounding up 64 votes to stop debate.

All other business will stop. The Senate is clearing the decks now by passing the last appropriation bills and other urgent measures. The Senate Republican Policy Committee met yesterday and mapped the usual plans of keeping watchdogs on the floor to assure compliance with debate rules and bringing in cots to keep up the pressure of a ready quorum.

The bill permits the Attorney General to seek court injunctions to protect voting and other civil rights of all citizens. If the court order were violated the offender could be tried for contempt by a Federal judge alone, not by a jury. The main southern argument so far has been that this deprives citizens of a basic right to trial by jury.

Russell mentioned the jury trial issue yesterday. But his speech, with its visions of fixed Federal bayonets and southerners rotting in jail, seemed an appeal to the people not to let the conqueror's heel stomp on the "helpless" people.

He said both the Administration and the press have deceived the Nation as to the true purpose of the bill. It is much a "force" bill, he asserted, as those proposed by northern Republicans in Reconstruction days "in their avowed drive to put black heels on white necks."

Russell aimed most of his fire at the catchall Section 3 of the bill which permits the Attorney General to seek injunctions to assure persons of "equal protection of the laws or of equal privileges or immunities under the law."

This section, said Russell, could be used to force integration in schools and other public places. And it would be tied to an old Reconstruction law which together can be used to bring in Federal troops, he said. If the Supreme Court rules "and who can doubt their intent" — that separate hotels, restaurants and amusement places constitute a denied of "equal privileges" they can be integrated by injunction, said Russell. "White people who operated a place of amusement could be jailed without benefit of jury trial until they either rotted or conformed to the edict," said Russell. If a group of white people gathered to protest in front of the restaurant or theater the Attorney General could jail them on grounds they were conspiring to resist "commingling of races," he said. "I unhesitatingly assert," he added, "that this section of the bill was deliberately drawn to enable the use of our military forces to destroy the system of separation of the races in the Southern states at the point of a bayonet, if it be necessary to take this step."

Russell Proposes 3 Rights Changes

By Bernard D. Nossiter

Washington D.C.

Sen. Richard B. Russell (D-Ga.) yesterday proposed abolishing a civil rights bill provision granting the Federal Government power to block threatened or actual deprivations of citizens' rights.

This was one of three amendments offered by Russell, leader of Southern opponents to the House-passed measure. The Senate debated the bill in an unusual Saturday session.

Talk of watering down the measure filled Senate corridors and lobbies. But the bill's supporters denounced such discussion as tactically unsound and premature.

Actually, the Senate is still debating a motion to consider the bill. Approval of this motion is expected on Tuesday, setting the stage for what could be an extended, summer-long debate on the measure itself.

Russell's Main Amendment

The principal Russell amendment would eliminate the bill's Section 3. This would give the Attorney General authority to seek a Federal Court injunction against potential or actual conspiracies to deny persons equal protection under existing laws.

At present, victims of such conspiracies are limited to bringing civil suits in state courts. The bill's proponents contend that this remedy is of little use to Negroes before Southern white juries.

Russell has contended that the provision is aimed at compelling desegregation in school and other public places in compliance with the Supreme Court's readings of the Constitution. He has charged that it could be enforced by Federal troops at bayonet point since it has been grafted onto Reconstruction-era statutes.

Russell's other amendments would:

- Require Senate approval of a staff director for the bill's Civil Rights Commission. The measure now provides for Senate confirmation of the six, President-appointed Commission members who would investigate alleged denials of the right to vote.

- Bar the Commission from

Second Looks At The Civil Rights Bill

WHILE the civil rights bill moves toward a floor test, President Eisenhower's confession that he isn't sure what some of the ambiguous language means has prompted others to wonder also.

While still calling the bill a "right to vote" bill, *The New York Times*, for instance, grudgingly concedes that Senator Russell's analysis, which prompted the President's confession of confusion, was a revelation:

[Senator Russell] has discovered in the pending bill terminology that may indeed be fairly interpreted in the way he chooses to interpret it. In previous discussion of the civil rights measure there has been almost total neglect of this one point [that, as Russell disclosed, it is more than a right to vote bill, for hidden in one section is "a force law designed to compel the intermingling of the race in the public schools" by the use of troops].

The Administration bill in something very much like its present form was debated and passed by the House a year ago, the current one was debated and passed by the House again last month; there have been extensive hearings and reports and innumerable speeches on the subject; yet in all this time was made no real issue of the possibility pointed to by Senator Russell that the bill might be used to enforce school integration. . . . Until the last few days it has been generally overlooked—so much so that some of the bill's leading proponents now admit privately that they had never even thought of it.

INCREDIBLE as this sounds, that a major proposal of so far-reaching domestic impact could have deluded so many people by its obscure passages and deliberate ambiguity, it can be explained if not excused. "Liberals" are supposed to be for civil rights and this was a civil rights bill. So why bother to study it?

Had it not been for Russell's calm analysis, the civil rights bill, which might be used by some future President to bayonet the South into social chaos, could have become law.

The Wall Street Journal, which despite its reputed economic conservatism has been vigorous in its defense of civil liberties in America, comments on the Russell disclosures and the arguments

against the trial by jury amendment:

Even if their contention [the contention of supporters of the measure] were proved to be true [that Southern juries would not convict] it could then be argued with some logic that any law so objectionable that one-fourth of the population of the entire country can be immediately counted on to disobey it is a law that ought to be long looked at before it is enacted anyway.

Whether the civil rights bill as presently worded would actually be administered in a punitive fashion we do not know. But there can be no doubt that, in the actual reasons for omitting the historic right of trial by jury the measure is an indictment of 40,000,000 people that more than Southerners will find objectionable.

THE contention of Northern liberals, which boils down merely to "the end justifies the mean," has frequently been the invitation to tyranny, as history has shown time and again.

Even if it is argued, as some seem to, that the "second-class citizen" status of Negroes can only be corrected by making second-class citizens of Southern whites, it is not possible to impose this status by legislative fiat on a fourth of the nation without weakening the entire nation.

Mr. Russell's Referendum

(From The New York Times)

President Eisenhower didn't take long to dispose of the suggestion made by Senator Richard B. Russell of Georgia that the pending civil rights program be "submitted to the people of the North and West in a clear-cut and fairly presented plebiscite." As he explained in reply to a question at his press conference, the President was unable to find any provision in the Constitution that would provide for such a referendum.

The truth is, of course, that the Russell referendum proposal was dead as soon as it was born. The Georgia Senator seems to regard the pending legislation as a preliminary to another march of an invading army from Atlanta to the sea. The point that might be made does not touch on civil rights so much as on Senator Russell's charge that at least a portion of the American press and at least a portion of the other agencies of public communication have been guilty of a "campaign of deception as to what this (civil rights) bill proposes to accomplish."

It is ridiculous to assume that a national referendum would produce a freer and fairer discussion than will be produced by an attempt to put civil rights legislation through Congress in the usual way. If the northern and western sections of the American press are capable of choking off discussion on a subject that is before Congress they could be just as effective if the subject were tossed out to be decided by an appeal to the mass of the voters.

The referendum proposal does not make sense. Nearly sixty years of experience with the referendum in the states have left

a difference of opinion as to how democratic it — and its twins, the initiative and the recall — really are. A national referendum on civil rights, even if it were constitutional and otherwise possible, would be just a nation-wide filibuster. If we are to have a filibuster, let's have it in Washington on Capitol Hill, where we can see what is going on.

Negro Says Vote Try Forced Many To Flee

Washington, Feb. 28 (AP)—Gus Courts, a Negro testifying for civil-rights legislation, said today he was just one of many who had to leave Mississippi because they tried to vote.

Courts, who said he was shot in Belzoni, Miss., after leading a campaign to register Negro voters, now lives in Chicago. He told a Senate Judiciary subcommittee that "lots" of Negroes had been killed and their bodies found in rivers, asked him to elaborate. Courts said he had seen two bodies after they were taken from rivers or lakes. He also mentioned two other cases of Negroes having been killed. Courts said he did not know who shot Lee. Asked by Ervin if a Negro witness had not told the F.B.I. that the Lee shooting was "over a woman," Courts said he did not know.

Courts said only 8,000 Negroes were on the registration rolls in Mississippi, "although there are 497,000 potential colored voters in Mississippi."

Intimidation Alleged

He said the Negro vote was held down by what he called intimidation and other practices of "those who operate the election machinery and their associates."

"Not only are they killing the colored people who want to vote and be citizens, but they are squeezing them out of business, foreclosing their mortgages, refusing them credit from the banks to operate their farms."

Senator Ervin (D., N. C.), noting that Courts had said in his statement that "lots" of Negroes had been killed and their bodies found in rivers, asked him to elaborate.

Courts said he had seen two bodies after they were taken from rivers or lakes. He also mentioned two other cases of Negroes having been killed.

Courts said he did not know who shot any of the Negroes, and "I don't know who shot me." He said he was shot while in his grocery and that a woman customer who ran outside told him his assailants were white people.

He said he believed the White Citizens Council of Humphrey County was responsible for the killing of G. W. Lee, a Negro minister who had tried to get Negroes to register.

Negro Claims Many Flee South in Terror

By J. W. Davis
Associated Press
Feb. 28, 1957

Gus Courts, a Negro testifying for civil rights legislation, said yesterday he was just one of many who had to leave Mississippi because they tried to vote.

Courts, who said he was shot in Belzoni, Miss., after leading a campaign to register Negro voters, now lives in Chicago. He told a Senate Judiciary subcommittee:

"My wife and I and thousands of us Mississippians have had to run away. We had to flee in the night. We are the American refugees from the terror in the South, all because we wanted to vote."

Courts said only 8,000 Negroes were now on the registration rolls in Mississippi, "although there are 497,000 potential colored voters in Mississippi."

Killings Charged
He said the Negro vote was held down by what he called intimidation and other practices of "those who operate the election machinery and their associates." His prepared statement continued.

"Not only are they killing the colored people, who want to vote and be citizens, but they are squeezing them out of business, foreclosing their mortgages, refusing them credit from the banks to operate their farms."

Sen. Sam J. Ervin Jr. (D., N. C.), noting that Courts had said in his statement that "lots" of Negroes had been killed and their bodies found in rivers, asked him to elaborate.

Courts said he had seen two bodies after they were taken from rivers or lakes. He also mentioned two other cases of Negroes having been killed.

Courts said he did not know who shot any of the Negroes, and "I don't know who shot me." He said he was shot while



Courts Borders
... testify on rights

in his grocery store and a woman customer who ran outside told him his assailants were white people.

He said he believed the White Citizens Council of Humphrey County was responsible for the killing of G. W. Lee, a Negro minister who had tried to get Negroes to register.

Gunman Unknown

Under questioning by Ervin, Courts said he did not know who shot Lee. Asked by Ervin if a Negro witness had not told the FBI that the Lee shooting was "over a woman," Courts said he did not know.

Courts said the White Citizens Council at Belzoni summoned him before it in 1955. He related:

"They told me, 'we're not going to let Negroes in the county vote and we're not going to let the NAACP (National Association for the Advancement of Colored People) operate.'"

"They told me, 'You're leading the Negroes in trying to get them to register and we're going to put you out of business.'"

Ervin asked then if it was because of this that Courts knew the Council had killed Lee.

"I don't know," he replied, "but I believe it."

The NAACP has been in the forefront of organizations pressing for new Federal laws in the field of civil rights.

Negro Testifies Vote Denied Him In Mississippi

He's A Refugee
WASHINGTON, Feb. 28 (AP)—Gus Courts, a Negro testifying for civil rights legislation, said today he is just one of many who had to leave Mississippi because they tried to vote.

Courts, who said he was shot in Belzoni, Miss., after leading a campaign to register Negro voters, now lives in Chicago. He told a Senate Judiciary subcommittee:

"My wife and I and thousands of us Mississippians have had to run away. We had to flee in the night. We are the American refugees from the terror in the South, all because we wanted to vote."

Courts said only 8,000 Negroes are now on the registration rolls in Mississippi, "although there are 497,000 potential colored voters in Mississippi."

He said the Negro vote is held down by what he called intimidation and other practices of "those who operate the election machinery and their associates."

His prepared statement continued:

"Not only are they killing the colored people, who want to vote

and be citizens, but they are squeezing them out of business, foreclosing their mortgages, refusing them credit from the banks to operate their farms."

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"They told me 'we're not going to let Negroes in the county vote and we're not going to let the NAACP operate.'"

The NAACP has been in the forefront of organizations pressing for new federal laws in the field of civil rights.

The Eisenhower civil rights program provides, among other things, a Federal Commission to investigate reported violations of civil rights, and new authority to protect voting and other civil rights.

For one thing, it would permit the U. S. attorney general to use court injunctions to prevent violations of voting and other rights.

Courts said he never saw any bodies taken from rivers but had seen two bodies after they were taken from rivers or lakes. One, he said, was the body of Emmett Till, Chicago youth who was shot and killed after allegedly making a remark to a white woman.

Courts said the County Citizens Council Committee before which he was summoned three times was composed of the late Hezekiah Fly, a planter; Percy Ferr, a planter; and Paul Townsend Jr., a banker.

Courts said he knew of no prosecution by authorities of anyone either for the Lee shooting or the assault on himself.

The Rev. W. D. Ridgeway, Baptist minister from Hattiesburg, told the committee that in Forrest County, Miss., less than 25 Negroes, of a Negro population of 12,958, "have been permitted to register and vote."

He said that he personally had sought to qualify "again and again" but that every time he was "turned down."

Austin T. Walden, Atlanta, Negro attorney, testified that 160,000 Negroes were registered voters in Georgia out of a potential of 650,000. Most of these, he said, are in urban areas.

Had To Flee Constitution P.2 Mississippi, Feb. 28, 1957

Negro Says
Atlanta, Ga.
Sen. Ervin Deflates
Story of Killings

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Courts, who said he was shot in Belzoni, Miss., after leading a campaign to register Negro voters, now lives in Chicago.

He told a Senate Judiciary subcommittee that "My wife and I and thousands of us Mississippians have had to run away. We had to flee in the night. We are the American refugees from the terror in the South, all because we wanted to vote."

SAYS 8,000 ON ROLLS
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"Not only are they killing the colored people, who want to vote

and be citizens, but they are squeezing them out of business, foreclosing their mortgages, refusing them credit from the banks to operate their farms," his prepared statement said.

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ASKED ABOUT TAX

Noting Courts had said he left his \$15,000 grocery business, Ervin asked if Courts had paid a federal income tax. Courts first said he had not, only a state income tax, but later amplified his testimony to say he had hired an auditor to figure out his taxes.

"I had a man figure it out," Courts said. "Whatever he said I owed, I paid, state or federal. He didn't tell me if it was federal or state tax, I just paid him."

He said he believed the White Citizens Council of Humphrey County was responsible for the killing of G. W. Lee, a Negro minister who had tried to get Negroes to register.

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CALLED BY COUNCIL

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"They told me 'We're not going to let Negroes in the county vote and we're not going to let the NAACP (National Assn. for the Advancement of Colored People) operate,'" he said.

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"I don't know," he replied. "But I believe it."

EASTLAND DISPUTES 'FANTASTIC' CHARGE OF NEGROES' FLIGHT

Minister's Son
Claims of NAACP Witness

In Washington Attacked

By Senator

Sol. 3-7-57
'KILLINGS' ARE DENIED

Former Belzoni Man Tells
Subcommittee 'Thousands'
Forced To 'Flee In Night'
Or Be Slain

By MORRIS CUNNINGHAM

From The Commercial Appeal
Washington Bureau

WASHINGTON, March 1. — Senator James O. Eastland (D., Miss.) moved quickly Friday to defend his state against charges that "thousands" of Negroes have been forced "to flee in the night" from Mississippi and that "lots" of them have been killed for trying to vote.

The charges, made by Gus Courts, a Belzoni, Miss., Negro now living in Chicago, were strongly disputed Friday by a mass of telegrams from Mississippi officials and law enforcement officers.

Courts made the charges Thursday in testimony before a Senate Judiciary Subcommittee considering civil rights legislation. He was introduced by Clarence Mitchell, Negro Washington representative of the National Association for the Advancement of Colored People.

Branded 'Fantastic'

Senator Eastland, chairman of the parent Judiciary Committee, announced he has demanded that the subcommittee subpoena Courts, return him here from Chicago, and place him under oath for further questioning. He branded Courts' testimony "fantastic."

Courts was scheduled to return for additional questioning Friday but failed to appear. Senator Sam J. Ervin Jr. (D., N. C.), who closely questioned him Thursday, criticized his failure to reappear.

Senator Ervin's questions included inquiries about Courts' income tax payments from his \$15,000-a-year business. Courts said his taxes were handled by his auditor.

Complaints of Questions

Courts, who suffered a gunshot wound before he left Mississippi, testified he doesn't know who fired the shot. He said he was shot while he was in his grocery store, and that a woman customer who ran outside told him his assailants were white.

Mitchell, on behalf of the NAACP, submitted a letter to the subcommittee Friday saying Courts was not reappearing because he had had to return to Chicago.

Courts' wife is paralyzed and Courts has a heart condition

which was caused by the injury he suffered in Mississippi," the latter said. "Because of these things, it has been necessary for him to return to Chicago."

Mitchell's letter also complained that questions about Courts' income taxes "were not related" to the proposed civil rights legislation in behalf of which he was testifying. It also said Courts had come to Washington at his own expense.

It said if the subcommittee wants him to return that "some arrangement be made to assure him that his stay will be brief, that his expenses will be paid, and that the questions will be relevant to matters within the jurisdiction of the subcommittee."

Senator Eastland declared that Courts' testimony "that the people of Mississippi forced him to give up a \$15,000 business and flee for his life is fantastic."

The Mississippi Democrat declared he wants a "full investigation." He said he "will place the whole matter" before the full Senate Judiciary Committee at its regular meeting Monday.

Senator Eastland said that, if necessary, he will demand that people from Mississippi be brought to Washington to answer Courts' charges.

Minister's Son
To Close Tuesday
The subcommittee's hearings are slated to close Tuesday. An investigation of Courts' charges could have the effect of extending them.

Telegrams from Mississippians Friday, which Senator Ervin placed in the record, included one from Paul Townsend, a Belzoni, Miss., banker, that told of a \$300 bank loan to Courts, later repaid.

"I have never talked to Gus Courts individually or otherwise about voting," the banker wired.

Paul Townsend Jr. wired he had had only one conversation with Courts, that a witness was present at the time, and that the conversation was a "friendly and congenial" discussion of

the organization of an NAACP chapter in Humphreys County. He said Negro voting was not mentioned.

10 1957

SENATE SUBCOMMITTEE

REV. WILLIAM HOLMES BORDERS
ATTY. AUSTIN T. WALDEN

2 ATLANTANS ASK SENATORS FOR OK OF CIVIL RIGHTS

WASHINGTON — Approval of civil rights legislation, to help the South "a more decent place for all its citizenry," was urged Thursday by two prominent Atlanta leaders before a United States Senate Subcommittee.

The leaders were the Rev. William Holmes Borders, Pastor of the Wheat Street Baptist Church, and Attorney Austin T. Walden, who has figured in many civil rights cases in the South.

Attorney Walden more temperate in his speech than the minister who has been arrested in a civil rights action, but offering legal aspects quickly took issue with statements which had been made earlier by Georgia Attorney General Eugene Cook.

"BETTER SPOKESMAN"
Cook had told the committee that "Negroes do not desire integration." Walden cited figures, and named places and declared:

"I think I am a little better spokesman for Negroes than is our attorney general."

But mainly he pointed out instances where the right to vote had been denied. Out of a Negro population of more than a million in Georgia, Walden said only 165,000 are registered compared to 1,250,000 whites registered out of the state's two million white population.

DEMOCRATIC IDEALS
Mr. Walden declared that the ultimate object of the proposed civil rights bills is the implementation of our democratic ideals.

He said the bills should not be considered in a "narrow, partisan, political sense." He pointed out that no claim is made here that Negroes are totally free from racial discrimination anywhere in our country.

The attorney told the subcommittee he loves Georgia, which is his native state, and has faith in "the basic sense of justice of his fellow Georgians."

He said he felt that Georgia is "fair minded, but afraid to be vocal."

MANY DENIED
The committee was told, that registration among Negroes in Georgia is concentrated in the cities and that many have been denied the right to vote in rural areas.

He declared that in the immediate past "lives have been lost and property practically confiscated. Negroes have been driven out of the community; their homes fired into at night because of their efforts to register and vote. Threats, intimidations, economic reprisals and cross burnings" have been used to intimidate them, Walden held.

He blamed much of this on what he termed "political demagogues" and the county unit system. He singled out Pierce and Burke Counties as areas where Negroes have been denied the right to vote.

REV. BORDERS
The Rev. Mr. Borders who was rested in Atlanta on a state charge of violating segregation laws during a bus riding test, had some extent of praise to offer his home city, but hastily pointed out the need for segregation's end.

He told the subcommittee of his work as chairman of the "Love, Law and Liberation" movement in churches. While Atlanta is "from many angles a wonderful and marvelous city," segregation is a harmful thing the minister declared.

Both he and Attorney Walden testified under oath. This was their

second trip to the nation's capital to take part in the hearings which preceded a vote on Civil Rights March 5.

Many Southern whites have testified previously. They have all attacked the bill and its alleged purposes.

Rev. Borders declared. "I want, Negroes want, Democratic and Christian people everywhere want the civil rights bill passed.

It will help make the South and our country a more decent place for all its citizenry.....the only way whites can keep democracy for themselves is to give it to everybody.

"Thank God that bread is being thrown to Hungarians over there. It is a shame that bombs are being thrown at Negro homes and churches over here because they asked to be seated in buses as other people."

"In the name of decency, in the name of democracy, in the name of world leadership, in the name of God, let us pass strong civil rights legislation," he urged.

**Walden, Borders
Appear Before
Sub-Committee**
Atlanta, Ga.

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**2 Atlanta
Constitution
Negroes Ask
Rights Push**
Atlanta, Ga.
By ALBERT RILEY

Constitution Washington Bureau
WASHINGTON, Feb. 28—Two Georgia Negro leaders today urged approval of civil rights legislation in testimony before a

Senate subcommittee. *P. 1*

They were Austin T. Walden, Atlanta attorney, and the Rev. William Holmes Borders, pastor of Wheat Street Baptist Church in Atlanta.

ONE OF SIX JAILED

The Rev. Mr. Borders was one of six Atlanta Negro ministers recently arrested and jailed briefly.

Witness tells of terror in Mississippi; senator quizzes closely on details. Page 2.

ly on a charge of violating the state's segregation laws in a bus-riding test case now pending in the courts.

The minister told the Senate subcommittee on constitutional rights that he is chairman of the "Love, Law and Liberation" movement in Atlanta Negro churches.

Although he said Atlanta is "from many angles a wonderful and marvelous city," the Rev. Borders was highly critical of segregation in the South. He described his arrest in the bus-riding incident.

'GIVE TO EVERYBODY'

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"In the name of decency, in the name of democracy, in the name of world leadership, in the name of God, let us pass strong civil rights legislation," he said.

Both Negro spokesmen said they had been told to introduce themselves to the Senate panel by Clarence Mitchell, director of the Washington Bureau of the NAACP.

Walden was more temperate in his remarks than Borders but he declared, "The ultimate object of the proposed civil rights bills is the implementation of our democratic ideals."

The attorney said the bills should not be considered in a "narrow, partisan, political sense" and added that "no claims made here that Negroes are totally free from racial discrimination anywhere in our country."

Walden told the senators he loves his native state and has faith in "the basic sense of justice of his fellow Georgians." He said Georgia is "fair-minded but afraid to be vocal."

Walden said that although Negro registration in Georgia is concentrated in the cities, many have been denied the vote in rural areas.

In the immediate past, he said, "lives have been lost and property practically confiscated. Negroes have been driven out of the community, their homes fired into at night because of their efforts to register and vote. Threats, intimidations, economic reprisals and cross-burnings" have been used to intimidate them, he said.

Walden blamed much of this on what he termed "political demagogues" and the county unit system. He singled out Pierce and Burke counties as areas where Negroes have been denied the right to vote.

Out of a Negro population of more than a million in Georgia, only 165,000 are registered, he said, compared to 1,250,000 Whites registered out of the state's two million White population.

Walden took issue with a statement by Atty. Gen. Eugene Cook that "Negroes do not desire inter-gration."

"I think I am a little better spokesman for Negroes than is our attorney general," Walden said. "Thank God that bread is being said."

Dixie Gestapo bared

Afro American the courts" and will "keep an eye on meetings of colored rights concerning voting by colored people in Louisiana.

A secret police system similar groups." The *Journal* clipping reported that a teacher may not hold theories "contrary to Georgia's the South to maintain segregation policy of segregated schools."

In addition to "thought-control" and "secret police" Mr. Roy Wilkins, NAACP secretary, Wilkins cites denial of the vote to colored people through administrative devices, economic pressure and violence in some sections of the South.

Sat. 2-23-57 THE NAACP official urged the passage of a "meaningful" civil rights bill to safeguard "the two most basic rights — the right to vote and the right to security of the person."

Other NAACP witnesses included A. T. Walden, Atlanta lawyer, the Rev. William H. with "going out and actively soliciting litigants and money to develop lawsuits." BIRMINGHAM — Asa (Ace) Carter, arch segregationist out of Miss.; and Clarence Mitchell, director of the Washington bureau, NAACP.

IN HIS prepared statement, Mr. Wilkins said opponents of civil rights legislation fear that passage of such bills "will doom their empire of thought-control and secret police."

The word "Gestapo," Mr. Wilkins notes, was used last week by Southern opponents of civil rights legislation, who maintained before a House subcommittee that such legislation would establish a "Gestapo" in the Southern states.

As evidence of his contention that a "Gestapo" already exists in parts of the South, the civil rights official submitted to subcommittee members exhibits of newspaper clippings from the Jackson, Miss., *Daily News* and *State Times* and the Atlanta, Ga. *Journal*.

Sat. 2-23-57 THE JACKSON *State Times* exhibit states that "secret racial investigators" hired by the state will "interview persons involved in integration moves in

"If one is sworn, all should be sworn," remarked Senator Watkins.

While a colloquy was going on between Senators Hennings and Watkins concerning the swearing of witnesses, Senator Sam J. Ervin, Democrat, of North Carolina, interrupted to say it would be impossible to finish Saturday afternoon with any one of the three witnesses. He indicated that he intended to cross examine them at length.

SENATOR HENNINGS ruled that all future witnesses would be sworn.

Senator Ervin read aloud from the prepared statement of Mr. Walden:

"In some areas, registration and election officials have been conspirators in various schemes to accomplish the above objectives (to keep down colored voter registration in Georgia).

"Sometimes when Negroes attempt to register, they are told that the books are out; that they are out of blanks; that they will have to come back on a designated day and, on returning, find the office closed."

Senator Ervin said he had noticed several such charges in Mr. Walden's statement and he intended to ask about specific cases.

Senator Hennings said it was obvious that the testimony of the three witnesses would take considerable time.

SENATOR WATKINS suggested that the subcommittee have a closed session Monday morning and determine how many days the hearings would run and how many witnesses the committee would hear.

The suggestion of Senator Watkins was adopted and at 4 p.m., the subcommittee recessed the hearings until noon Monday, subject to its obtaining unanimous consent to sit while the session was in session.

Later, Senator Watkins told reporters that "If the fellows

are going to run a filibuster, I intend to move to close it off."

He said two or three witnesses ought to be selected to present the views of two or three groups and that in that way the hearings can be wound up in about 10 days.

"I EXPECT to have the cooperation of everybody involved," he said, "and if there is any attempt to filibuster, I am going to move to take action immediately on the bills."

"I want to give them (opponents) a fair opportunity. I do not intend to let this run on forever in committee."

Senator Watkins was one of three members who voted against ending hearings in two weeks. The vote was 4 to 3. He said he voted against limiting the hearings before they started because "I wanted them to run on awhile and see how they were going to run and if it looks like a filibuster, then I want to clamp down."

EARLIER, Senator Watkins had questioned Senator Herman Talmadge, Democrat, of Georgia, about registration of voters in Georgia and whether there was any discrimination practiced against colored applicants for registration.

Talmadge said there were about 1,000,000 registered voters in Georgia, of whom over 150,000 are colored. "We poll more colored votes in several counties than we do white."

Walden, the Rev. Mr. Borders and Courts did not get an opportunity to testify Saturday afternoon. The committee will fix a later time to hear their testimony.

In a statement prepared to be read to the committee, Mr. Wal-White Citizens Council, came out of a potential of 650,000 are registered. More than four-fifths of that registration was placed on the books, he said, after the "white primary" was declared unconstitutional by the federal courts.

Threats, intimidation, economic reprisals, cross-burnings on nights before elections, he charged, are some of the devices used to intimidate colored people and keep them from

* * *

SHORTLY BEFORE an election, he also charged, hundreds of colored persons are notified that their registration has been challenged, he said, and, under Georgia law, they must show cause within 1 to 10 days why their names should not be stricken from the registration rolls.

Hundreds have been summoned to appear on the same day, Walden charged, when the officials know it is physically impossible to hear and pass upon such names.

Walden cited the testimony of Assistant Attorney General Warren Olney 3d before the Senate Elections and Privileges Subcommittee concerning the Pierce County, Ga. cases as "a typical example of wholesale purges."

THE REV. Mr. Borders told of the efforts of a group of Atlanta preachers to end segregation on Atlanta buses and street cars, which resulted in their arrest and indictment for violating the Georgia segregation law.

Mr. Courts, in his prepared statement, told about the murder of the Rev. George W. Lee in Belzoni, Miss., on the night of May 9, 1955.

The Rev. Mr. Lee, he said, was the first colored person in Humphrey County, Miss., to register to vote. He was killed by a shotgun blast from an automobile which drove up beside the car the Rev. Mr. Lee was driving.

Mr. Courts blamed the White Citizens Council for the murder of the Rev. Mr. Lee.

The next morning, he said, one of the members of the White Citizens Council, came next to him and told him that he would be the next if he did not get his name off the registration rolls.

LATER, ANOTHER man told him he also would have to resign as president of the Humphrey County NAACP because they were not going to let it operate there and if he did not do it, they would see that the wholesalers sold him no groceries. Mr. Courts ran a grocery

store in Belzoni.

While Mr. Courts was busy waiting on customers in his store on Nov. 25, 1955, someone drove up in a car and fired a shotgun through the store window. He was seriously wounded. He went to a hospital in Mound Bayou, an all-colored town, rather than the local hospital two blocks from his store.

In August, 1955, just before the state primary election, only 22 colored persons remained on the registration rolls of Humphrey County, Mr. Courts said. He added that he was notified that the first colored person who put his foot on the courthouse lawn would be killed.

THE GROUP of 22 colored voters met and decided they would vote. At the registrar's office, he said, they were handed sheets of paper which contained 10 questions and told they could not have ballots until they answered the questions.

The first question, he said, was: "Are you a member of the Democratic party?" next, "Do you want your children to go to school with the white children?" and third, "Are you a member or support the NAACP?"

Mr. Courts also mentioned the murder of Lamar Smith on the courthouse lawn in Brookhaven, Miss., Aug. 13, 1955.

"There have been a lot of colored persons found in rivers," he charged. "Others just killed in broad daylight."

He said colored people are still leaving Mississippi by the thousands. He disputed the testimony of Gov. James P. Coleman of Mississippi before the House Judiciary subcommittee that failure to pay poll taxes was one of the causes for the colored vote being reduced in Mississippi.

He charged that the colored vote was reduced because of "intimidation, violence and fraud on the part of those who operate the election machinery."

AFTER THREE days of questioning, Attorney General Herbert Brownell Saturday remained unshaken in his testimony that enactment of the Eisenhower

er Administration's civil rights and segregation."

He said there have been "inflammatory speeches" by government officials; "shootings and bombings of homes and churches"; "mobs and threats of bodily harm"; economic pressures, and "discriminatory and punitive" statutes passed by state legislatures.

"In this period Negro citizens have been outraged, but they have been patient," Wilkins said.

Before today's session got under way, Subcommittee Chairman Hennings (D., Mo.), said he will oppose any move by Southerners to force more public hearings by the judiciary committee as a whole. He described the vote for a deadline on subcommittee hearings "a great victory" for those who want civil rights legislation.

HE SAID THAT if the move to force more hearings by its parent judiciary committee materializes "we'll put that to a vote, too" and that he believes it would be rejected. He said further hearings would be a waste of time.

Wilkins testified that the "right to vote" has been flagrantly and systematically denied colored people in many parts of the South.

NAACP says patient mood may change

WASHINGTON, Feb. 19

— (AP) — A Negro spokesman told Congress today that members of his race have been patient "in the face of extreme provocation" but that he could not predict their mood if their hope of civil rights legislation is destroyed.

Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People, sounded this note in testimony before a Senate judiciary subcommittee.

THE SUBCOMMITTEE, considering the Eisenhower administration's civil rights proposals and other bills, voted 4-2 yesterday to end its public hearings March 5. This was a defeat for Southern opponents seeking to delay action.

Wilkins said the period since last September "has been marked by almost continuous violence directed at Negro citizens and groups in the South who seek elimination of discrimination."

HE SAID opponents of the

legislation had testified at the House hearings that it would set up a "Gestapo" in the Southern states.

Wilkins said a "Gestapo has already been set up and is in operation in certain areas."

"What the opponents of this legislation fear," he said "is that passage of civil rights bill safeguarding the constitutional rights of citizens of the United States will doom their empire of thought-control and secret police."

WILKINS GAVE this list of organizations which, in addition to the NAACP, has endorsed his statement:

American Civil Liberties Union; American Council on Human Rights; American Ethical Union, National Committee on Public Affairs; American Jewish Congress; Americans for Democratic Action; American Veterans Committee; Friends Committee on National Legislation; Hotel and Restaurant Employees and Bartenders International Union, N. Y. Joint Board; Improved Benevolent and Protective Order of Elks of the World.

International Union of Electrical, Radio and Machine Workers, AFL-CIO; Japanese-American Citizens League; Jewish Labor Committee; Jewish War Veterans of the U. S. A.; National Alliance of Postal Employees; National Community Relations Advisory Council; National Council of Negro Women; Unitarian Fellowship for Social Justice; United Automobile Workers of America, AFL-CIO; United Hatter, Cap and Millinery Workers International Union; United Hebrew Trades; United Steelworkers of America; Women's International League for Peace and Freedom; Workers Defense League and the Workmens Circle.

WILKINS AND Sens. Ervin (D., N. C.) and Olin Johnston (D., S. C.) debated the civil rights bills for more than an hour without acrimony.

"I have enjoyed this discussion with you," Ervin said as he finished his questions.

The North Carolina senator commented that he had observed more segregation of Negroes in Harlem in New York City and on the Southside of Chicago than in many Southern cities.

Wilkins conceded this, adding: "But there are some compensations for Negroes who live in the segregated ghettos of the North."

"They are not put there by state law or the power of public officials. And they know they can always get out. If they want to leave Harlem and go to other sections of New York to a theater or a restaurant, they can do it."

"They have a freedom to meet and advocate an end to the segregated pattern."

"In some Southern communities they would not dare to hold such a meeting."

Ervin said that in his lifetime Negroes have made "remarkable progress" in his state. He said he believes nearly all of them now can vote, but Wilkins cited some cases of Negroes he said were deprived of voting rights recently in North Carolina.

SENS. ERVIN (D., N. C.) and Olin D. Johnston (D., S. C.), who voted against the cut off, have indicated they may appeal to the full committee for additional hearings.

Ervin said the deadline had been voted to be used as "a club over the head" of opponents of civil rights proposals.

Hennings said when the hearings end, the subcommittee will start work on an omnibus bill to embrace not only the administration's four-point program but some even more controversial proposals, including an anti-lynching section.

Can't Predict Constitution Negro Mood, NAACP Says

WASHINGTON, Feb. 19

Negro leader testified today he "cannot predict what mood might be engendered" among Southern Negroes if they do not get "a minimum guarantee" of constitutional rights.

Up to now, he said, they have followed a course of "nonviolence in the face of extreme provocation."

SENATE HEARING

Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People, testified at a Senate judiciary subcommittee hearing on civil rights legislation.

He said Negroes have shown great patience though recent months "have been marked by almost continuous violence directed at Negro citizens and groups in the South who seek elimination of discrimination and segregation."

But he indicated this mood might change if Congress does not approve President Eisenhower's civil rights proposals. These measures are "meaningful," he said, and would serve as a starting point for congressional action in this field.

WOULD INITIATE SUITS

Eisenhower's program would

permit the attorney general to seek injunctions to protect voting rights and allow the Justice Department to initiate civil suits in cases involving alleged denial of civil rights.

It also calls for creation of a civil rights division in the Justice Department and a special presidential commission to investigate complaints of rights violations.

In a move to speed subcommittee hearings on the program, Wilkins served as spokesman for 26 organizations allied in their support of the proposals.

Sen. Hennings (D-Mo), the subcommittee chairman, said yesterday's decision by the group to wind up hearings March 5 was "a great victory" for supporters of civil rights legislation.

Backers of the bills want to get the proposals to the Senate floor early in the session, when there would be less chance of a successful Southern filibuster against them.

WITHOUT ACRIMONY

Two Southern senators, Ervin of North Carolina and Olin Johnston of South Carolina, debated with Wilkins for more than an hour at today's hearing. The discussion was without acrimony and Ervin told Wilkins later, "I have enjoyed this discussion with you."

NAACP Aide Views Mood Of Southern Negro As Unpredictable Unless Rights 'Guaranteed'

WASHINGTON, Feb. 19 (AP) — A Negro leader testified today he "cannot predict what mood might be engendered" among Southern Negroes if they do not get "a minimum guarantee" of constitutional rights.

Up to now, he said, they have followed a course of "nonviolence in the face of extreme provocation."

Boy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People, testified at a Senate judiciary subcommittee hearing on civil rights.

He said Negroes have shown great patience though recent months "have been marked by almost continuous violence directed at Negro citizens and groups in the South who seek elimination of discrimination and segregation."

But he indicated this mood might change if Congress does not approve President Eisenhower's civil rights proposals. These measures are "meaningful," he said, and would serve as a starting point for congressional action in this field.

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It also calls for creation of a civil rights division in the Justice Department and a special presidential commission to investigate complaints of rights violations.

In a move to speed subcommittee hearings on the program, Wilkins served as spokesman for 26 organizations allied in their support of the proposals.

Wilkins said, however, that the separate groups would ask to be heard separately should the Senate hearings develop "into a forum for antilaw and order."

Sen. Jennings (D-Mo.), the subcommittee chairman, said yesterday's decision by the group to wind up hearings March 5 was "a great victory" for supporters of a civil rights legislation. And he said he would oppose any move to force more hearings before the parent judiciary committee.

Backers of the bills want to get the proposals to the Senate floor early in the session, when there would be less chance of a successful Southern filibuster against them. Southern lawmakers have adopted a strategy of delay.

Two Southern senators, Ervin of North Carolina and Olin Johnston of South Carolina, debated with Wilkins for more than an hour at today's hearing. The discussion was without acrimony and Ervin told Wilkins later, "I have enjoyed this discussion with you."

Wilkins conceded, under questioning by Ervin, that there are some "Ghettos of the North" in which Negroes are more segregated than in some Southern communities. But Wilkins said there are "some compensations" for Negroes who live in them—"they know they can always get out . . . and go to other sections . . . to a theater or a restaurant."

The Negro leader also told Ervin he was sure Negroes have more rights in North Carolina than in the South generally. Ervin's state, he said, is a "golden example by comparison with many of its sister Southern states."

Wilkins read a statement which referred to recent "shootings and bombings of homes and churches . . . mobs and threats of bodily harm" and "inflammatory speeches" by public officials in the South.

Despite this, he said, Negroes have been patient and "have placed their trust in the law, the courts, in legislative bodies and in the orderly processes of government." He added:

"What they are asking of this

Congress . . . is a minimum safeguard of the constitutional rights which have been so long denied them. But in the face of this patience, in the face of these provocations, even this minimum is being challenged.

"Mr. Chairman, I cannot predict what mood will be engendered if the system which has prevailed for 80 years should, through machinations of any sort, be perpetuated in this enlightened middle of the 20th Century."

Wilkins said the Eisenhower civil rights proposals would be "a step forward in the safeguarding of the two most basic rights—the right to vote and the right to security of the person."

But he said they are minimum proposals which do not deal with discrimination in employment, segregation in interstate transportation, the poll tax, violence against members of the armed services, and "with several other pressing issues."

After hearing Wilkins, the subcommittee recessed until tomorrow morning. One of the witnesses then will be Georgia Atty. Gen. Eugene Cook.

10 1957

SOUTHERN CONFERENCE EDUCATIONAL FUND, INC.

Southerners Urge Strong

Civil Rights Legislation

"An Open Letter To The United States Senate"

Federal civil rights legislation now pending before Congress has been endorsed by the Southern Conference Educational Fund Inc.

Board of Directors meeting in Atlanta, last weekend supported passage of the bill "free of crippling amendments" and requested that copies of the resolution be sent to members of Congress.

John Wesley Dobbs of Atlanta, Howard Long of Fisk University, O. B. Taylor of Knoxville, Franklin W. Thomas, executive secretary of the Tulsa YMCA, Bishop Edgar Love of Baltimore, Md., and C. G. Gomillion, dean of students, Tuskegee Institute, Ala., were among the southern leaders attending the meeting.

The statement adopted by the group, was signed by Aubrey Williams, publisher of the Southern Farmer of Montgomery, Ala., and president of the SEFC, and board of directors.

The directors in pleading for passage of the pending civil rights bill adopted resolutions which stated in part:

DEPLORE PROPOSALS

The statement said in part: . . .

"We deplore the confusing proposal of certain persons to attempt to amend the administration's civil rights bill to engraft onto it a provision for jury trial, which can only be intended to cripple the enforcement of the law by introducing into the proceeding the very local prejudice against which protection is sought."

"... Jury trial never has been an integral part of equity proceedings. A party dissatisfied with this equity court decree has his full rights of appeal and review. The contempt powers of equity courts are founded on the fundamental sanctity and authority of the court to enforce its own decree, and not on any concept of crime against the state, in which cases the right to jury trial is inviolate, and is unaffected by the administration's bill."

The SEFC, with headquarters in New Orleans, is dedicated to the elimination through education of all forms of discrimination and segregation.

There is included below a letter coordinated by the Southern Conference Educational Fund of which Aubrey Williams, former head of the NYA, is president.

He is well and widely known as a liberal and has herewith presented an open letter of soundness and fully current in its appeal.

This Open Letter will appear in one of the Washington newspapers as an advertisement and should be read by all well-meaning and thinking persons in accord with the best measures and minds in our Democratic society.

The letter follows:

"The right to vote, consecrated by our democratic institutions, is entitled to all means of protection existing in our judicial system. The Administration's Civil Rights bill, H. R. 6127, will fill an aching gap in providing a means of preventive action to protect that right from encroachment.

"The confusing proposals to amend the bill by a provision for jury trial, however limited, can only cripple the enforcement of the law by introducing into the proceeding the very local prejudice against which protection is sought.

"H. R. 6127, in providing injunctive relief, properly orients the procedure within the historical area of equity jurisdiction of the courts. Jury trial never has been an integral part of equity proceedings. A court's decree is an order to those before it to do or to refrain from doing certain things. A party dissatisfied with the decree has his full rights of appeal and review. In the rare case in which a party refuses to honor the decree of an equity court, the court has the power to punish him for contempt.

"The contempt powers of equity courts are founded on the fundamental sanctity and authority of the court to enforce its own decree, and not on any concept of crime against the state, in which case the right to jury trial is inviolate, and is unaffected by the Administration's bill.

"It would be better not to pass any civil rights legislation at all than to pass a bill which limits the power of courts to enforce their orders. We are in a better position to get justice in civil rights cases under existing laws than we would be if you pass the proposed 'trial by jury amendments.'"

Because of the tenor and timeliness of this position, we are compelled to pass on to our readers this message which we believe reflects their view on this current issue of the "Right to Vote." We fully agree with this position as expressed by the conference.

WHILE CONGRESS DEBATES

Star Jan. 3-3-57

The Civil Rights Picture Improves

Washington, D.C.

By DAVID KOONCE

Congress is again engaged in the issue of civil rights. Under immediate consideration is the Eisenhower administration four-point "package" program. And a whole array of measures which would go beyond the administration proposal in the fields of voting rights, employment, anti-lynching and integration have been introduced.

Whether any of these proposals will become law is, as always, a question. But while the fight on Capitol Hill goes on, some notable improvements are being made in the very areas of race relations at which they are aimed. The improvements are not of a nature to persuade civil rights proponents that their cause is weakened, but the fact that they occurred and are now occurring provides a quiet counterpoint to the stridencies of the battle in Congress.

One field of race relations in which substantial progress is being made in the South is that of racial segregation on local buslines.

Last April, the Supreme Court dismissed an appeal from a Circuit Court decision which held that the Columbia (S. C.) bus segregation ordinance was unconstitutional. Since then, attempts to end segregated seating on buses have met with official resistance and with violence in Birmingham, Montgomery and Tallahassee.

24 Cities Acted

But meanwhile, 24 Southern cities have ended local bus segregation without difficulty or litigation, according to the Southern Regional Council, an organization of Southerners working to improve human relations in the South.

These cities are Little Rock, Fort Smith, Pine Bluff, and Hot Springs, Ark.; Charlotte, Greensboro, Durham, and Winston-Salem, N. C.; Knoxville, Nashville, and Chattanooga, Tenn.; San Antonio, Corpus Christi, and Dallas, Tex.; Richmond, Norfolk, Portsmouth, Newmond, Petersburg, Lynchburg, Port News, Fredericksburg, and Roanoke, Va.; and Spartanburg, S. C.

Local bus desegregation also has

been accomplished in a number of other Southern cities, the council said, but officials in those cities have asked that no publicity be given the matter. In most of the cities, many passengers follow the custom of separate seating, but a council said that in all of them there is some mixed seating.

Among the administration's civil rights proposals is a bill which would set up new Federal laws assuring voting rights. Several of the Democratic bills, which generally are broader and go further than those offered by the administration, would outlaw the poll tax as a voting requirement in the five States that still have it. In this area, too, the South has shown improvement in recent years.

The Southern Regional Council recently reported that, in the 11 States of the old Confederate South, the number of registered Negro voters totaled 1,239,500. This represented an increase of about 210,000 since 1952.

Picture by States

A State-by-State breakdown showed this picture:

	Negroes Registered	Rise Over 1952	Negro % of Voting Age Population	Negro % of Registration
Alabama	52,000	26,776	30	6
Arkansas	69,677	8,264	21	12
Florida	149,786	28,886	20	9
Georgia	163,825	18,990	29	12
Louisiana	161,400	41,410	30	18
Mississippi	19,975	*	41	*
N. Carolina	135,000	35,000	24	7
S. Carolina	100,790	**	34	16
Tennessee	90,000	5,000	16	15
Texas	214,000	32,084	12	8
Virginia	83,098	13,772	21	9

* Unavailable. ** Little change.

The council noted that the Negro vote in the South has grown steadily since the white primary was outlawed by court action in 1944, though the percentage of registered Negroes of voting age is still far below other States.

Louisiana offers an example of the extent of the increase in Negro registration since 1944. In the election that year, 1,672 Louisiana Negroes were registered, compared to 161,400 last year.

The old reasons—discrimination, threats and Negro economic depend-

ence on whites—still partially explain small percentages of Negro voters. But the council found another reason: "Lack of political consciousness and apathy, demonstrated by the fact that in some cities where registration was comparatively easy the number of Negroes registered remained low."

Employment Figures Sparse

Specific figures documenting expanded employment rights for Negroes in the South are hard to come by, since most employers shun any publicity regarding new policies suggesting integration. Figures are available, however, on the increase in Negro policemen in the South. In 1945, only 29 Southern cities had Negro policemen. The total of Negro officers was 131. In 1954, 143 cities and 22 counties employed 822 Negro policemen. They included 45 cities and counties in the Deep South States of Alabama, Georgia, Louisiana, Mississippi and South Carolina. In the past two years, more have been added to the list.

There are a number of instances of the voluntary ending of discrimination in hiring. Among those companies willing to receive publicity for their new policies is the International Harvester Co. and the Firestone Tire and Rubber Co., which have plants in Memphis being operated under a no-discrimination hiring policy.

Negro clerical employees can be found in Dallas and there are department stores in a number of Southern cities with Negro clerks. In this general area the color line is also gradually coming down in professional associations of lawyers, nurses, doctors and librarians. Medical associations in eight

Southern States accept Negro doctors and those in two others accept Negroes as nonvoting members. In 1955, membership to nurse associations had been opened to Negroes in every State except Georgia.

A survey by the Southern Regional Council in January showed that 88 public libraries in the Confederate South offered services to Negroes on the same basis as to whites. In 1941 there were three.

Lynching, an evil that several of the Democratic proposals seek to eliminate, has all but eliminated itself. In 1901, there were 130

recorded lynchings. By 1940, the figure was down to five. In the last five years, there were three lynchings, all occurring in 1955. In the last 16 years the Tuskegee Institute recorded 34 lynchings, compared to 202 in the previous 16 years.

Opinions Change

Last year, the National Opinion Research Center surveyed white racial attitudes in the North and South with results that did not square with many common conceptions.

It found that while only 21 per cent of the white Southerners in 1942 believed that Negroes are as intelligent as whites, the figures rose to 58 per cent in 1956.

The survey also showed that 14 per cent of the white South approve of school integration, compared to 2 per cent in 1942; 27 per cent approve of integrated transportation, compared to 4 per cent in 1942, and that 38 per cent do not object to Negro residential proximity, compared to 12 per cent in 1942.

The fact that, for the most part, the greatest gains have been made in the past four years when pressure on the South has been heaviest lends weight to the argument that they represent only a grudging accommodation to those pressures. This is seen most clearly in the frantic efforts of Southern States to bring their Negro schools up to par after the Supreme Court ruled against school segregation.

AS 'UNNECESSARY, UNJUSTIFIED'

Sparkman Raps Forthcoming Senate Civil Rights Debate

WASHINGTON, July 6 (UP)—Sen. John Sparkman (D-Ala.) said today that the forthcoming Senate debate on the controversial civil rights legislation was "unnecessary and unjustified."

The Alabama junior senator charged the Republican Party was trying to lure the Negro vote with the civil rights program.

"With so many pressing problems still to be worked out in the Senate during this session it seems a shame that we will be forced to waste so much time because integrationists led by President Eisenhower and Vice President Nixon are determined to get a civil rights bill through the Senate this session," he said.

"The Negro will not be fooled by this attempt. He knows from past experience that the Democratic program of greatly needed social and welfare legislation comes nearer to solving the many needs of the Negro than any hastily prepared and emotionally enacted civil rights legislation."

Sparkman said the measure was "consummated on a hot-bed of misinformation and misguided principles" and would revive "the troubled times that were clamped on the South during the evil reconstruction period following the Civil War."

Sparkman Flays Civil Rights Bill

BY GENE WORTSMAN
Post-Herald Correspondent

WASHINGTON, July 10—Sen. John Sparkman held the floor for two hours and 45 minutes today as Southern opponents of civil rights moved closer to a full-scale Senate filibuster.

Sparkman's colleague, Sen. Lister Hill, sat by attentively while Sparkman talked and answered questions.

Hill's first performance may come tomorrow. He has a speech of more than 36 pages to deliver. Sparkman had a 34-page speech plus a 50-page article in the 1924 Harvard Law Review co-authored by Atty. Felix Frankfurter, now a Supreme Court justice, on the injunctive process.

In opening his speech, Sparkman said, "I categorically oppose all provisions of the bill at issue."

He put special emphasis on the harm which would result from the injunctions permitted by the bill.

He stressed the necessity, if the bill is to become law, that it contain a guarantee of jury trial for defendants.

Tracing the history of injunctions and trial by jury, Sparkman said the former has stood for "tyrannical evasion of the common law."

The jury trial, he added, "has stood for justice under the law."

Sparkman said the bill would not increase Negro voting in the South.

"More Negroes will be at the polls as their general level of education increases," he declared.

Sen. Paul Douglas (D., Ill.) a backer of the bill, interrupted at one point to say the injunction would be nothing new.

Twenty-eight existing federal laws provide for injunctions in other matters, Douglas claimed.

"Simply because a bad departure has been made is no excuse for going further," Sparkman replied.

Most of the 28 injunctions bear no resemblance to the civil rights proposal, he added, saying the bill would "give loaded legal dice to government lawyers."

Sparkman said some backers of the bill apparently don't realize how far-reaching the injunction process could be.

This was a reference to Sen. Richard Russell (D., Ga.) who has warned that the bill would enable armed troops to enforce orders of the U. S. attorney general.

"This bill," Sparkman declared "represents bad law. Bad, because it is rank subterfuge. Bad, because it uses doctrines developed for other purposes and perverts them to this cause in order

to evade the American defendant's right to trial by jury."

The Alabama senator said the bill doesn't represent the American consensus.

"It represents the efforts of one part of the nation to enforce upon another a superficial view of justice, despite earnest warnings that this will work disastrous damage to the progress currently being made," Sparkman stated.

"If the federal judges are to be made the agents of this disruptive policy," he continued, "the first result will be grievous damage to the judges' prestige as objective and disinterested arbiters."

"A judge cannot become the advance agent for a political party in one field of law and hope to retain his stature as politically disinterested in other fields of law."

Under the bill facing the Senate, federal judges could try defendants without juries.

Sparkman said he isn't advocating election of federal judges but if they aren't to be elected they should be kept out of politics—not brought into politics as this bill provides.



Photo By Tommy Giles

SMACKING CIVIL RIGHT TO SMITHEREENS IN MEETING HERE

Sen. John Sparkman (right), emphasizes point to Sen. Herman Talmadge of Georgia.

given by Post No. 2, commanded by Bob Murrell.

The convention was officially opened last night with a memorial service at First Presbyterian Church. James B. Thomas, lay minister from Tuskegee and Alabama Department chaplain, was memorial speaker, while State Commander Lewis E. McCray of Tuscaloosa read the memorial list.

He commemorated Legionnaires who have passed away within the past year for their contributions to both Legion service and to their communities.

More than 700 delegates were registered yesterday, with the total expected to run more than 1,000, as both the Legion and its auxiliary hold general sessions. Convention headquarters is the Whitely Hotel, although sessions will be held at Post 2 headquarters as well as at the Jefferson Davis Hotel.

They and Congressman George Grant, who accompanied them, were honor guests at a dinner tel.

Today's session officially opens at 9 a.m. when Commander McCray calls the assembly to order. Welcome addresses are scheduled by Mayor W. A. (Tacky) Gayle and Gov. James E. Folsom. Emmett N. Roden of Florence Post No. 11 will give the response.

Sen. Sparkman's address is scheduled for 9:30 a.m., with Legion Auxiliary greetings to be extended by Mrs. Leroy Bodford, president, at 9:50. Sen. Talmadge's address, in which he is expected to hear down heavily on the civil rights issue, is scheduled for 10 a.m.

McCray will introduce distinguished guests of the convention, including Preston J. Moore of Stillwater, Okla., past Oklahoma Department commander now running for national commander. The annual Legion parade will form in front of the Capitol at

Rights Bill Soviet-Like, Talmadge Declares Here

By GEORGE WHITTINGTON
Montgomery, Ala.

Sen. Herman Talmadge of Georgia declared here last night that the civil rights bill now before Congress is "something we might expect in the USSR, but certainly not anything we would expect in the United States of America."

Both Sen. Talmadge and Sen. John Sparkman of Alabama are here to address the 39th annual convention of the Department of Alabama, American Legion.

The remarks were made in an interview prepared for release at 6 p.m. today. They are to address the 700 or more delegates to the

convention and the Legion Auxiliary today.

Sen. Sparkman declared on arrival that Southerners in the upper house of the U.S. Congress will be able to "chop to shreds" the civil rights bill passed by the House. And Sen. Talmadge said it has become a fight to maintain the rights of democratic processes.

The two were delayed in their flight from Washington for the convention, then arrived ahead of a delayed schedule as announced from the Capitol.

They and Congressman George Grant, who accompanied them, were honor guests at a dinner tel.

1:30 p.m., and a cocktail and buffet dinner is scheduled from 5:30 to 6 p.m.

The past commanders banquet is scheduled for the Blue and Grey Room at the Whitley, with Ben Holmes of Cullman Post No. 4, president, presiding.

Among Tuesday's speakers will be Gen. S. B. Mason, U.S. Army, and Richard Williams Jr., 1957 Legion Oratorical Contest winner. Selection of the 1958 convention city and election of new officers is scheduled for Tuesday afternoon, following committee reports.

The Legion Auxiliary, holding its 36th annual convention, also opened its session yesterday at the Jefferson Davis with an Eight and Forty brunch. Committee meetings followed.

It will meet today jointly with the Legion to hear the top speakers of the convention, then go into further committee sessions.

A top separate event on the women's calendar is a Past Presidents' Parley breakfast at the Jefferson Davis at 7:30 a.m. Tuesday. Auxiliary elections are set for 11 a.m. Tuesday, with installation of new officers to be held at 1 p.m.

SEN. TALMADGE CHARGES:

Advertiser June 7-16-59

Rights Bill 'Deadly Threat'

Montgomery, Ala.

By LILLIAN DeLOACH

Sen. Herman Talmadge of Georgia in a speech here yesterday denounced civil rights legislation pending in the U.S. Senate as "the most deadly and dastardly threat ever to confront us as a nation."

Talmadge, who with Alabama Sen. John Sparkman addressed the 39th annual convention of the state department of the American Legion at the Whitley Hotel, urged "organized political action" to maintain constitutional liberties and preserve the rights of the states and the people.

Lashing out at civil rights, Talmadge called the Northern-backed legislation "a sustained and vicious attack aimed at destruction of constitutional and representative government in this country."

The freshman senator from Georgia ripped into the U.S. Supreme Court, saying: "It has proved itself more concerned about the rights of Communists and rapists than it is for the rights of the innocent, law-abiding citizens whose rights such in-

dividuals violate." Sen. Sparkman preceded Talmadge to the Legion speakers' platform and told some 1,000 Legionnaires and auxiliary delegates that "thousands of home-builders must either go out of business or turn to other types of construction unless the administration changes its attitude toward housing."

Alabama Rep. George Grant and Legion officials shared the program with Sparkman and Talmadge.

But it was Talmadge who unleashed the most blistering attack on civil rights and its pro-

ponents.

The President and his attorney general, he said, have "demanded that Congress enact a new 'Force Bill' which robs every citizen of his right of trial by jury and authorizes full use of the Army, Navy, Marine Corps and militia . . . to enforce the attorney general's notions of what are and are not civil rights."

CURRENT CONCERN

"By amending laws which stem from the passions which flamed throughout the nation immediately before, during and for years after the War Between the States, it brings into play statutes which . . . could be used to punish the South with another period of reconstruction 90 years later," Sen. Talmadge continued.

Speaking further on the "subject which is of much current concern on our part," he added that the civil rights bill contains "language (which) covers an area as broad as the imagination of mankind and as fathomless as the minds of some individuals who may transiently enforce its provisions."

"Who is to say what constitutes 'equal protection of the laws'?"

"Who is to enumerate the rights and privileges of a citizen of the United States?"

"There is not an area of human thought or conduct which the language of the bill now before the Senate does not cover. It runs the gamut from sowing to reaping, from sleeping to waking, from thought to action, from the cradle to the grave," he stated.

'UNRESTRICTED POWER'

"It does not confer upon a single American a single additional right. The only person to whom it grants any new rights is the attorney general of the U.S., on whom it confers the arbitrary and unrestricted power to use the federal judiciary as an instrument of his political caprices to deny civil rights."

"It would make (him) a czar of civil rights superior even to

the Constitution of the United States."

He said that "constitutional guarantees, processes and prohibitions which already are the law of the land . . . are adequate to meet every requirement" of American rights.

Sparkman said that a decline of about 16 per cent in housing production during the first six months of this year from 1956 was attributable to "serious" cutbacks in the FHA and VA housing programs.

He said the "outlook for the VA-guaranty program is not good at this time."

OFF 33 PER CENT

FHA insured residences were off 33 per cent, while VA insured residences were off 49 per cent compared to 1956, he added.

With about 21,000 marriages in Alabama last year as a factor in increased housing needs, he pointed out that the 1950 census shows that there are 200,000 dilapidated dwelling units in Alabama and another 200,000 without inside running water."

Pending before both the Senate and the House are bills to increase from \$10,000 to \$13,000 the VA guarantee under the direct loan program, Sparkman said.

Under the urban renewal program, he continued, Alabama has 17 cities and 23 projects with capital grant reservations amounting to \$10,000,000. Montgomery has two projects which will bring over \$2,000,000 in Federal money to clear out and renew the poorest areas of the city, he said. Birmingham has the largest total grant of \$3,200,000.

LARGELY RURAL STATE

"Alabama is largely a rural state and many veterans living on farms should benefit from a program of this type," he said.

More than 1,000 delegates were registered yesterday as both the Legion and its auxiliary went into general sessions.

Mayor W. A. Gayle welcomed the Legionnaires to the city during the opening session. Gov. J. E. Folsom was unable to be present.

State Commander Lewis W. McCray, Tuscaloosa, introduced visiting officials and presided at the meeting.

The annual parade in the afternoon and the past commander's banquet last night, followed by a dance and open house at the American Legion Club were other highlights of yesterday's sessions.



LEGION CONVENTION IN ACTION

Sen. John Sparkman (left) addresses 800 American Legion and Auxiliary members here yesterday as Sen. Herman Talmadge of Georgia (second from left) pensively awaits his turn. Others at the speakers' table are Hugh Overton, Legion national committeeman from Randolph county, and John Wienand Jr., state senior vice commander.—Staff Photo by Charles Moore

Case Hits Compromise On Civil Rights Bill

Washington, D.C.
By J. A. O'LEARY

On the eve of the Senate's battle on civil rights, Senator Case, Republican of New Jersey, yesterday called advance talk of a compromise "wishful thinking."

From the other side, Senator Sparkman, Democrat of Alabama, accused the Republican Party of "trying to stampede the Negro into its fold on a wave of mass hysteria over the question of civil rights." He said the G. O. P. had a political rather than a humanitarian interest in the subject.

"There is talk among opponents of the civil rights bill of compromising it before debate begins in the Senate," said Senator Case. "So far as I am concerned, this is only wishful thinking."

Mundt Sees Compromise

"The bill and any amendments offered to it will be determined by a majority vote of the Senate after fair debate of the issues involved. Most of us in the Senate feel the bill is moderate and modest. I shall strive to keep the provisions from being weakened. Basically, the legislation assures all Americans the right to vote, a right which should have been theirs long, long ago."

But before Senator Case spoke out, another Republican, Senator Mundt of South Dakota, had predicted a compromise which the South "could live with" even though its Senators might not vote for it.

This indicates that, as the debate gets under way tomorrow, there are varying shades of opinion on the Republican as well as the Democratic side of the aisle as to how far the bill should go.

The jury trial amendment advocated by the Southerners was the only basis of compromise mentioned by Senator Mundt. He said if this were adopted it would have to be balanced by a Southern recognition of the right of all citizens to register and vote.

Senator Mundt said he did not believe there would be any

whether to try to break the filibuster by invoking the 64-vote cloture rule, or by attempting to wear down the Southerners with continuous around-the-clock sessions.

The Southerners are confident 64 Senators will not vote to shut off debate on the bill as it stands. They imply that the required number might so vote if the jury trial or other modifying provisions are adopted.

Senator Knowland said yesterday Mr. Eisenhower realized that the civil rights battle may tie up Senate action on all administration legislative requests for eight weeks or longer.

"He is familiar with all eventualities," Sen. Knowland said. Senator Knowland said he was unwilling to put the controversy aside to act upon other non-controversial measures which the President has asked.

Senator Case said yesterday he would not favor invoking cloture immediately. But he said he would not hesitate to urge its adoption if it "becomes clear that a delaying action to restrain the Senate from voting is under way."

Senator Sparkman said that with many pressing problems still awaiting Senate action, "it seems a shame that we will be forced to waste so much time because integrationists led by President Eisenhower and Vice President Nixon are determined to get a civil rights bill through the Senate this session."

Senator Sparkman said the Negro "knows from past experience that the Democratic program of greatly needed social and welfare legislation comes nearer to solving the many needs of the Negro than any hastily prepared and emotionally enacted civil rights legislation."

With several appropriation bills, including foreign aid, to be completed after the civil rights fight ends, some leaders are now predicting Congress will be in session until mid-September.

actual negotiation looking to a compromise until after the debate has run on for a week or more.

While Republicans contend the main purpose of the bill as passed by the House is to insure voting rights the Southern Democrats say it is really designed to force the South to accept racial integration.

Feature of Bill

The main feature of the bill authorizes the Attorney General to use the injunction process in civil courts to protect voting and other civil rights. The Southerners want the guarantee of a jury trial for State officials or others who may be cited for contempt for alleged violation of an injunction.

Senator Russell, Democrat of Georgia, leader of the opposition, has charged that the bill is so worded that it would permit the President to use the armed forces, if necessary, to enforce civil rights.

At his last news conference, President Eisenhower extended an indirect invitation to Senator Russell to try to show him that the bill was not as moderate as Mr. Eisenhower had described it. The Senator is expected to visit the White House some time this week.

Meanwhile, the issue will be joined on the Senate floor about 2 p.m. tomorrow, when Republican Leader Knowland moves to take the bill from the calendar and make it the pending business.

Knowland Wants Vote

Senator Knowland has indicated he hopes to have this preliminary motion voted on by the end of this week. Senator Russell has not tied himself to any specific time limit, but has said that on the motion to consider the bill Southern speeches will not be of "unusual" length.

The real fight will come after the bill has been taken up and Southerners begin offering amendments.

If no compromise has been worked out after several weeks of debate, the Republicans and Northern Democratic supporters of the bill must decide

Here Is Text of Speech by Talmadge

Explaining Strategy of Dixie Senators

Constitution Washington Bureau
WASHINGTON, Aug. 29 —
Following is the text of Sen. Talmadge's speech in the Senate outlining Southern strategy on the Civil Rights bill.

Mr. President, H. R. 6127 was passed by the House of Representatives and reached the floor of the U. S. Senate without any significant change from the iniquitous version submitted to Congress by Atty. Gen. Brownell.

As taken up initially by the Senate, it was a force bill of the rankiest order. It would have conferred upon the attorney general of the United States unlimited power to harass, intimidate and control the thoughts and actions of all Americans in all areas of human conduct. It would have empowered the President of the United States—or the attorney general acting for him—to use the full armed might of the nation to force integration of the races in every facet of life, public and private, in the South. It would have repealed the constitutional right of trial by jury.

Seventeen determined Southern senators—with all odds against them—set out to do what their counterparts in the House of Representatives were unable to do: to eliminate the more vicious provisions of this monstrous legislation. The success of their skillful, courageous efforts and the effectiveness of their persuasive, dignified arguments speaks for itself.

SHADOW OF ITSELF

The measure as the Senate returned it to the House of Representatives was an emaciated shadow of its former brute self. The Senate version struck out those provisions which would have restored bayonet rule and authorized the use of the Army, Navy and Marine Corps to force racial integration in the South.

The Senate version eliminated those provisions which would have given the attorney general dictatorial powers to regiment the



UPHOLDS STRATEGY

Sen. Talmadge thoughts and actions of the American people.

The Senate version contained an iron-clad guarantee that the constitutional right of trial by jury would be respected and upheld in all cases of criminal contempt arising under it.

HERCULEAN VICTORIES

The success of the Southern senators in pyramiding their 17 votes to win these Herculean victories for constitutional government and their fondest original expectation. As repugnant as are the remaining provisions of this monstrous principle and states' rights, it nevertheless had to be admitted even by advocates of the measure, that Southern senators gained far more than they lost.

It had been hoped that the House of Representatives would sustain the full gains made by the Senate.

Unfortunately, however—through a so-called compromise which compromises at best principle and at worst the Constitution of the United States—the jury trial guarantee was sacrificed.

After only an hour's delay, the House returned the bill to the Senate.

SOUTHERN PROBLEM

The problem then confronting

Southern senators was how best to protect the interest of their constituents.

Certain members of the House of Representatives presumed to advocate that we conduct a filibuster against the bill.

I do not know why these men arrogated unto themselves greater wisdom than the combined intellect of 16 Southern senators. It could not possibly be because they were more successful in eliminating the more vicious and iniquitous provisions of the bill.

To be sure, the fact that a grandstand of long-winded speeches would be immediately popular with our constituents—who, like us, are unalterably opposed to this bill in any form—was not lost upon us.

But reason dictated that in determining our course of action, we should measure the gains we had made against the potential losses.

FACE THE FACTS

The facts we had to face were these:

First—It would be impossible for 17 senators to conduct a filibuster until the convening of the 86th Congress in January 1959. Debate in the Senate can be limited by 64 votes and with 79 members of the Senate favoring a civil rights bill, there exist 15 votes more than the number necessary to impose gag rule at will. Second—There is pending in a subcommittee of the Rules Committee of which I am chairman seven different resolutions (S. Res. 17, 19, 21, 23, 29, 30 and 32) to liberalize the provisions of Senate rule XXII under which debate in the Senate can be limited. Those resolutions contain an aggregate of 54 signatures—five more than necessary to pass any one of them.

As chairman of that committee, I have been successful in my insistence upon full hearings on, and through study of, these resolutions before any action is taken on them. Because of the present complexion of the Rules Committee, it is well known that

any filibuster attempt would result in the reporting of one or more of these pending resolutions and the imposition of a much stronger cloture rule which would further limit the ability of individual senators to protect their constituents.

STRONGER BILL

Third—The majority of the members of the Senate—by at least three to one—favors a stronger bill than the one presently under consideration. This is evidenced by the fact that, in voting on amendments to Parts 3 and 4 of the bill, 12 to 15 senators voted with the South on one amendment only to vote against it on the other.

There is considerable sentiment on the part of the President and the majority of the members of both houses of Congress to add a new Section 3 to this bill which would empower the attorney general, without jury trial, to force complete integration of our society. During the course of prolonged debate, such action still be taken.

Fourth—Next year is a congressional election year. Both the Democratic and Republican parties—aided and abetted by the White House and the vice president—undoubtedly will demand next January that this same Congress pass a much stronger civil rights bill, probably with FEPC provisions. These efforts will again require determined opposition on the part of Southern senators and our success will depend in large measure upon the good will of senators from other areas of our country.

FOREGONE CONCLUSION

Should we destroy what good will remains among independent senators of this Congress, the passage of new, radical civil rights legislation, with FEPC provisions, will be a foregone conclusion.

For these reasons, it was the unanimous opinion of the 16 dedicated Southern senators that no organized filibuster against the

Brownell bill be conducted on the floor of the Senate.

Speaking for myself, Mr. President, I have represented and will continue to represent my constituents and our beloved State of

Georgia to the best of my ability and according to the dictates of my conscience.

I have never compromised principle and I never will.

But I declare to this Senate, the nation and the world, Mr. President, that neither will I allow those who are uninformed as to the facts and circumstances to stampede me into acts which I am convinced would, in the long run, wreak unspeakable havoc upon my people.

And it is to them, Mr. President, that I leave the judgement of my decision and action.

Talmadge Hits Critics Of Strategy
Constitution
Atlanta Ga.
Aug. 29—
Can't Block Bill, Georgian Asserts

Constitution Washington Bureau
WASHINGTON, Aug. 29—Sen. Talmadge said tonight he refused to let "uninformed people" stampede him into a civil rights filibuster which "would in the long run wreak unspeakable havoc upon my people."

In a speech from the Senate floor, Talmadge said it was the unanimous decision of 16 "dedicated Southern senators" that a filibuster would be unwise.

Apparently his greatest fear was that Northern liberals might well force a restoration of Part 3 of the bill, which would have permitted federal enforcement not only of voting rights but of other civil rights, including the right to attend non-segregated schools.

Talmadge pointed out that the Southerners won major victories in the Senate when they eliminated Part 3 and adopted a jury trial amendment. This the Southerners in the House had not been able to do, he commented. And when the amended bill got back to the House, even the jury trial proviso was dissipated there.

"Certain members of the House

of Representatives presumed to advocate that we conduct a filibuster against the bill.

"I do not know why these men arrogated unto themselves greater wisdom than the combined intellect of 16 Southern senators. It could not possibly be because they were more successful in eliminating the more vicious and iniquitous provisions of the bill.

To be sure, the fact that a grandstand of long-winded speeches would be immediately popular with our constituents—who, like us, are unalterably opposed to this bill in any form—was not lost upon us," Talmadge added.

Rep. Davis of Stone Mountain has said that failure to filibuster constitutes "surrender."

These were the facts, Talmadge said:

1. It would be impossible for

17 senators to conduct a filibuster until the convening of the 86th Congress in January, 1959. Debate can be limited by 64 votes and 79 senators favor a civil rights bill, 15 more than are needed to impose gag rule.

2. Seven different resolutions are pending in Talmadge's own rules subcommittee to change rule 22 which permits unlimited debate. They are supported by 54 senators, five more than needed for passage. Any filibuster attempt, Talmadge said, would certainly result in one of those resolutions being approved.

3. A majority of the Senate—by at least three to one—favors a stronger civil rights bill than the one under consideration. There is considerable sentiment on the part of the President and a majority of both houses of Congress to add a new Part 3, "which would empower the attorney general, without jury trial, to force complete integration on our society. During the course of prolonged

debate, such action still could be taken."

4. Next year is a congressional election year. Both parties, aided and abetted by the President and vice-president, "undoubtedly will demand next January that Congress pass a much stronger civil rights bill, probably with FEPC provisions."

Roscoe Drummond Reports**Ten Years of Progress
In Civil Rights Detailed***Handwritten:* **Washed Times**
New York City

Don't duck, this column is going to deal with good news. There is some good news. *Everything* isn't going badly. As an after-Christmas bonus, the thing to which I want to call attention is how well we are doing in one of the most precious aspects of American democracy—the spread of all



Drummond

civil rights to all citizens regardless of race, creed or color. When you look into the mirror you can either concentrate on how far we still have to go and be very depressed or you can concentrate on how far we have come and be very encouraged.

There is none who can hold up the mirror with better credentials than the American Jewish Committee which has so valiantly and so long served the cause of freedom everywhere.

In its annual survey of civil rights advances in the United States the American Jewish Committee has just completed a study of the civil right trend over the last ten years, that is, from the issuance of the report of the President's Committee on Civil Rights in 1947 to today.

Its verdict: "Momentous gains." Citing authorities not given to wishful thinking, the report marshals evidence to show solid and sustained advance in every phase of civil rights during this ten-year period.

Some of the evidence is as follows:

THE FEDERAL EXAMPLE—By requiring fair employment practices in all its contracts with industry, the United States government not only sets an example but directly protects the rights of more than 2,000,000 workers to equal job opportunity.

Integration within the armed forces has been accomplished. Segregation is banished from all veterans' hospitals and military post schools.

In the capital of the United States practically complete desegregation has been achieved, including parks, schools, public swimming pools, restaurants, government facilities, theaters, etc.

CIVIL RIGHTS IN EDUCATION—Following the Supreme Court decision, desegregation in Southern and border states is making itself felt in about 1,000 school districts and units. About 350,000 Negro and 2,000,000 white children are currently in "integrated situa-

prisoners.

IN THE FIELD OF HOUSING—During the last decade millions of Americans have won the legal right to live in new homes on a non-discriminatory basis. Nine states have outlawed racial segregation in public housing.

VOLUNTARY ACTIONS—A number of Southern medical, bar and educational associations are admitting Negroes. Steps have been taken to end discrimination in Greek letter societies at numerous colleges and universities.

All of this evidence and more are contained in the American Jewish Committee's forty-page survey of civil rights entitled "The People Take the Lead." When we see how far we have come, the road ahead does not seem untravelable.

The standards of democracy which America holds aloft were never so vital. In the uncommitted world today there are 1,000,000,000 people whom Communist Russia is wooing with its most dulcet deception. They look to America to show what democracy means. Almost all are non-white.

tions."

The North has also taken important steps to rid schools of bias. Covert admission quotas have largely disappeared.

SPREAD OF F. E. P. C.—In 1947 only four states had state commissions against discrimination. Today there are enforceable F. E. P. statutes in thirteen states and forty cities and more than one-third of the population is covered by state or local F. E. P. measures.

CITIZENSHIP RIGHTS —

The act of Congress this year guaranteeing Federal protection of the "right to vote" is hailed as breaking an eighty-two-year deadlock in civil rights legislation. In consequence South Carolina's Democratic party was enjoined from

barring Negro voters from primaries or from participating in party affairs. Two Southern states passed anti-lynch laws; six others banned masked parades and cross burnings and in some Southern states white law officers were arrested for inflicting punishment on Negro

Cloture Drive Laid to Big Talk

Move on Filibusters Thurmond's Fault
Southern Democrats Say Bitterly

WASHINGTON, Aug. 31 (P)—Southern Democrats blamed talkathon champion Sen. Strom Thurmond (D-S.C.) Saturday for a renewed drive to tighten Senate rules against filibusters.

They said fear that such a move would be started was one of the reasons they did not try to talk the civil rights bill to death.

Before Congress went home Friday, five Senate Democrats and six Republicans made a joint announcement that they would try their utmost to get the Senate regulations changed to make it easier to limit debate through a cloture rule.

They said that the 24-hour talkathon of Thurmond against the civil rights bill demonstrated clearly the need for a stricter cloture rule.

BUT THURMOND, 1948 States' Rights candidate for President, showed no regrets for his record solo filibuster. He said that he conscientiously believed it was his duty to dramatically focus public attention on opposition arguments to the legislation.

In a statement Thurmond said a Senate caucus of Southern rights opponents last Saturday had agreed not to stage an organized filibuster. But he said "it was also agreed that each senator was on his own to oppose the bill as best he could."

Thurmond said he had made up his mind to make a "long speech" against the measure and informed Sen. Richard B. Russell (D-Ga.), floor strategist of the opposition, that he was going to make it before he started talking Wednesday. He said he suggested that Russell call another caucus to consider organizing an extended debate, but Russell and the other Southern senators decided to stick to their earlier decision.

Humphrey (Minn.), Richard L. Neuberger (Ill.), Pat McNamara (Mich.) and Joseph C. Clark (Pa.).

Their six Republican colleagues said, "We have seen a sample of what the filibuster means to civil rights measures and how it can block the public business in such critical times."

They were: Sens. Clifford P. Case (N.J.), Irving M. Ives (N.Y.), Jacob K. Javits (N.Y.), Thomas H. Kuchel (Calif.), Charles E. Potter (Mich.) and Edward J. Thye (Minn.).

THURMOND ENDS 24-HOUR SPEECH ON CIVIL RIGHTS

Adjournment This Week Is
Believed Certain Following
One-Man Opposition

MAJOR ACTIONS HELD UP

Other Southerners Resentful
of South Carolinian for
Last-Ditch Campaign

By WILLIAM S. WHITE
Special to The New York Times.
WASHINGTON, Aug. 29—
Senator Strom Thurmond ended his one-man opposition to the civil rights bill at 9:12 o'clock tonight.

A few minutes earlier the right-wing South Carolina Democrat had passed the twenty-four-hour mark in his speaking, which began at 8:54 P. M. yesterday.

He thus delayed Senate action on the measure.

With the end of the talk, a resumption of normal procedure was in sight, with adjournment of Congress in prospect no later than Saturday night.

The Southern leaders themselves had long since turned in

visible distaste from his demonstration.

Senator Thurmond had had occasional respites of a few minutes each, during which he yielded for the brief transaction of routine Senate business. Thus he set no record for uninterrupted discourse.

The Senate Democratic floor leader, Lydon B. Johnson of Texas, repeated his forecasts that Congress would be able to quit by Saturday night—after sending a civil rights bill to the White House.

The bill is basically a Senate Democratic revision of the Administration's original text. It would:

1. Create a Federal civil rights commission, with subpoena powers.

2. Establish a special civil rights division within the Department of Justice.

3. Empower Federal prosecutors, acting with or without the consent of the victim, to obtain Federal Court injunctions against actual or threatened interference with the right to vote.

The House Must Act

One thing was certain: There could be no adjournment before tomorrow. The House of Representatives quit for the night at 5:11 P. M. to meet again at 10 A. M. tomorrow. Adjournment must be a joint act between both chambers. The House in any case will be in no position to do anything about that until tomorrow.

Because of the situation in the Senate the day brought no final action on three other pre-adjournment issues.

One of these was a \$3,435,810,000 foreign aid appropriation compromise reached between conferees representing the Senate and House of Representatives.

Another was a bill to limit the disclosure of files of the Federal Bureau of Investigation in criminal cases, as forced under a recent Supreme Court decision.

A third was a measure to ease restrictions on immigration in hardship cases.

The senior Southerners had

THURMOND SPEECH HOLDS UP BALLOT

Continued From Page 1

announced yesterday that there would be no Southern filibuster against the bill, because one obviously could not succeed and because it might well result only in so angering the Senate as to promote demands for hardening the rules against filibusters.

There still was in fact no filibuster, notwithstanding Senator Thurmond's efforts. For in common usage a filibuster is an organized and carefully directed campaign toward a specific and conceivably realizable purpose—the destruction of a bill by preventing any vote at all.

Senator Thurmond's personal campaign held not the shadow of such a promise.

As he droned on, his voice occasionally no more than a hoarse whisper, the leading Southerners in the Senate absented themselves for long periods. At times not a single Southerner was on the floor.

The impossibility of breaking the bill was illustrated by the fact that it would remain alive for at least sixteen more months even if this session of Congress should quit without action.

Colleagues Under Pressure

There was no such possibility: Senator Johnson and the Republican floor leader, Senator William F. Knowland of California, had agreed, with a vast majority of the Senate, that there would be no leave-taking until the bill had been passed.

Mr. Thurmond thus was plainly talking for home consumption. All his deep Southern colleagues were being put under some degree of pressure to follow him in what was being pictured in his home state as a determined if lonely stand against the bill.

The other Southerners said forcefully in the Senate lounges that they resented this implication that they also were not prepared to stand on the barricades. They noted that earlier instances of Southern intransigence in the House of Representatives had only harmed the Southern cause.

Specifically they recalled that the right-wing Democratic Chairman of the Rules Commit-

tee in the House of Representatives, Representative Howard W. Smith of Virginia, had only produced a harder bill by his long refusal to let the committee clear the legislation to the floor.

The Democratic House Speaker, Sam Rayburn of Texas, eventually was forced into a jury-trial compromise with the Republicans to obtain the support necessary to force Mr. Smith to act.

This jury-trial compromise was the only new matter on the issue before the Senate. The sole question was: Should the Senate now re-approve its own text of the civil right measure, subject to the alteration that had to be granted in the House to obtain its adoption of that measure?

This amendment qualifies the right of jury trial on which the Senate originally had insisted for criminal contempt cases arising from Federal voting right injunctions. It provides that a Federal judge may refuse a jury trial but that if he does so and assesses penalties higher than a \$300 fine or forty-five days imprisonment the defendant can demand a jury and be tried again before it.

Persons refusing to obey injunctions—issued under the bill—say Southern election officials refusing the ballot to qualified Negroes—could be imprisoned for civil contempt by a Federal judge, sitting without a jury, and held indefinitely, or until they consented to comply.

Criminal contempt cases would arise only where the purpose of the judge was simply to punish. Conviction in such cases after jury trial could result in penalties up to \$1,000 in fines and six months' imprisonment.

CIVIL RIGHTS JURY TRIAL IN ACTION

Times P. 7-E

By JOHN N. POPHAM

Special to The New York Times
KNOXVILLE, Tenn., July 13—Each day this week in the Federal court here some 250 spectators have occupied every seat and stood two-deep against the walls.

On the average about twenty-five of the spectators are Negroes who mingle easily in the audience. Some in the crowd are University of Tennessee students, some are housewives and high school students from nearby Clinton, the county seat town of neighboring Anderson County.

Others are lawyers and courtroom regulars, and there is a sprinkling of farmers and laborers from the Clinton area and representatives of human relations groups in Knoxville.

Power of Court

The drama that grips them concerns the power of this court to enforce one of its injunctive orders. And to decide the issue, the court has granted jury trial from which the jury panel was to determine whether sixteen defendants should be convicted of criminal contempt in flouting the injunction wilfully.

The case in its making was in the national spotlight for a number of weeks last fall. At that time, Clinton, a town of about 4,000 population some eighteen miles northwest of here, was the scene of a series of public disturbances and riots.

The strife in Clinton erupted after Federal District Judge Robert L. Taylor of Knoxville, in compliance with the historic Supreme Court decision of 1954, ordered the integration of twelve Negro pupils among some 700 white students enrolled in Clinton High School.

The protests were touched off a few days after school started when Frederick John Kasper, 28-year-old Northern agitator against racial integration, came to Clinton and urged opposition to the integration ordered by the court.

In swift succession, Judge Taylor issued an injunction prohibiting Kasper and others from Clinton Integration Case Is an Example

interfering with orderly classroom integration. Kasper was tried before Judge Taylor for violating the injunction, convicted and sentenced to one year in prison. An appellate court recently upheld the conviction and further appeal will be taken to the Supreme Court. In that case Kasper's lawyers did not request a jury trial. He is free in bail.

Sporadic disruptions continued. Finally, there came the arrest of fifteen residents of Anderson County on charges of violating the injunction still in effect. A month or so later Kasper was arrested again and all sixteen were charged with acting in concert to violate the injunction, the crux of the case now on trial.

All the intricacies and contradictions caught up in the South's struggle for solution to its racial problems are possibly at stake here, one way or another.

The fourteen-county area from which the jury panel was drawn has only two counties with more than 5 per cent Negro population. The area's history is one of divided sentiment during the Civil War and the Union cause was strongly supported.

Integrated Schools

The University of Tennessee in Knoxville is integrated at the graduate level. Maryville College has several Negro students and a Negro faculty member. Ministerial groups throughout the highlands speak strongly in support of integration and commanded wide following on the moral principle theme.

But as was disclosed in the Clinton outbursts, most of the people would seem to prefer a segregated system, although a goodly majority of these same people seem willing to accept the minuscule integration backed as the law of the land.

There is total awareness in the courtroom that this is the South's first jury trial of a Federal court's use of criminal contempt charges against racial segregationists. Although it poses a different legal framework from that contemplated

Eisenhower bloc of Republicans, in and out of Congress. Coalition Commander This week, however, Senator Knowland moved into a position of command of a coalition of liberal Republicans and Democrats pledged to fight on the ver-side of the Administration in the most desperate battle of this session of Congress—the effort to write a new civil rights statute. It is Senator Knowland's

KNOWLAND IN NEW ROLE LEADS A LIBERAL BLOC

Times Sun 7-14-57 P. 7-L
But the Senator Remains Best Hope Of Anti-Eisenhower Republicans

By CABELL PHILLIPS

Special to The New York Times
WASHINGTON, July 13—Motion to take up the bill that has sparked all of this week's debate. And he has given notice that, once the motion carries and the expected Southern filibuster on the substance of the bill itself ensues, he will lead the fight to break the filibuster—a quixotic sort of fight that has failed far more often in the past than it has succeeded.

There are at least two interpretations of why Senator Knowland has so conspicuously run up his banner in this most emotionally supercharged controversy of the Eighty-fifth Congress. Both have a certain amount of validity.

The first is that it is an issue he believes in and is willing to lend his weight to it. Earnest and conscientious to a fault, he is rarely challenged as to motive, however irrational his conduct may appear to some observers.

The second is that he senses political profit in identifying himself with an outstandingly liberal cause. His standing with conservatives in his party is beyond reproach. By the same token, his stock among Modern or Eisenhower Republicans is at a low ebb.

Future in Doubt

Senator Knowland announced in January that he would re-break with President Eisenhower when his present term expired at the end of 1958. He has not said what he has

he would do then beyond taking over the running of the family newspaper, The Oakland Tribune. But there is an almost unanimous assumption among his acquaintances that his real intention is to run for Governor of California and thus be in a position to contend, at least, for the Republican Presidential nomination in 1960.

This suggests a political future considerably more stormy than anything he has experienced in the past. His ambitions for the Governorship, for example, are almost certain to be contested by the incumbent, Goodwin J. Knight, an extremely able and popular politician. And if he moves into the Presidential sweepstakes he is with equal certainty likely to collide with another powerful Californian, Vice President Richard M. Nixon.

In assessing Mr. Knowland's probable motivations in assuming leadership of the civil rights drive, incidentally, it is worth noting that both Governor Knight and Vice President Nixon enjoy greater popularity than he among the numerically superior Eisenhower Republicans and independents. This wing of the party is far more concerned with rallying point for those "old school tie" Republicans who are not at home in the modern party of Eisenhower.



civil rights than the conservative wing where Mr. Knowland has his usual habitat. Mr. Knowland has made his break with President Eisenhower without really seeming to have done so; at least he has man-

CIVIL RIGHTS BILL HEADS TOWARD A COMPROMISE

Times June 7-14-57
New York 7-7-e
**Closure Is Not Considered Likely
Except on an Amended Measure**

By WILLIAM S. WHITE

WASHINGTON, July 13—The will not be put into the service of any Southern movement of immediate passage of a civil rights bill to give Federal protection to voting rights, but to offer no institution. new means of forcing school integration in the South.

Differing Sanctions

The end result will be, almost certainly, this half-loaf for the Administration and the bipartisan civil rights forces in general. The alternative, by every sign, would be no bread at all. The objections among the Republicans and Northern Democrats to compromise are powerful, and the resistance of most of the deep Southern Senators on resisting Southern communities to any legislation of any sort remains a considerable force.

This distinction, valid or not as it may be, is in fact held by however, are under a rising and many Republicans and, to a probably ultimately an irresistible pressure from all sides to liberal Democrats. The arguments against any compromise in a field in which the Southerners in the Senate have prevented any fundamental legislation since the post-Civil War days—the field of civil rights—are many and strong.

Break Is Opposed

The Republican - Northern Democratic partisans also are under a rising—and in this case an already visibly effective—pressure also to give some ground.

This comes in great part from Midwestern Republicans, who retain important sentimental and practical associations with the old Taft wing. That wing had a good deal of sympathy with the Southern position on civil rights and was never willing to make a clean break with the South on the issue.

A third and far from inconsequential accommodating force resides in the restless person of the Senate Democratic leader, Lyndon B. Johnson of Texas. Senator Johnson, as a Southerner, certainly will not willingly permit the passage of a bill that would be truly intolerable, as distinguished from repugnant, to the South.

All the same, every act that he has taken makes it plain that his extraordinary tactical

They rest on both ethical and political bases.

It is said among the all-out civil rights people that this very historical fact of long inaction is in itself all but enough to demand action now, whatever the cost in terms of breaking Southern filibusters.

Then, so this argument runs, there is the point that now that the Southerners are perceptibly weakened from the recent past this is precisely the moment to press on to the end. All this is on the plane of ethics.

Politically, it is argued that the Negroes, generally, who cast so many significant votes in so many places within the South in the 1956 elections, will now accept nothing this time than total victory.

Compromise Arguments

The arguments for compromise are similarly impressive, and these, too, are a mixture of morals and politics. Morally, it is contended that the Supreme Court's anti-segregation decision already is bringing into sight, even if distantly into sight, an end to that form of discrimination. Give the Negro an unhampered vote everywhere, it is said, and his ballot will at length put all else aright.

Politically, it is insisted, the thing to do is to seize and consolidate what is obtainable, protection of the voting right, lest insistently greater demands destroy all hope of present action—as, indeed, by every sign they would.

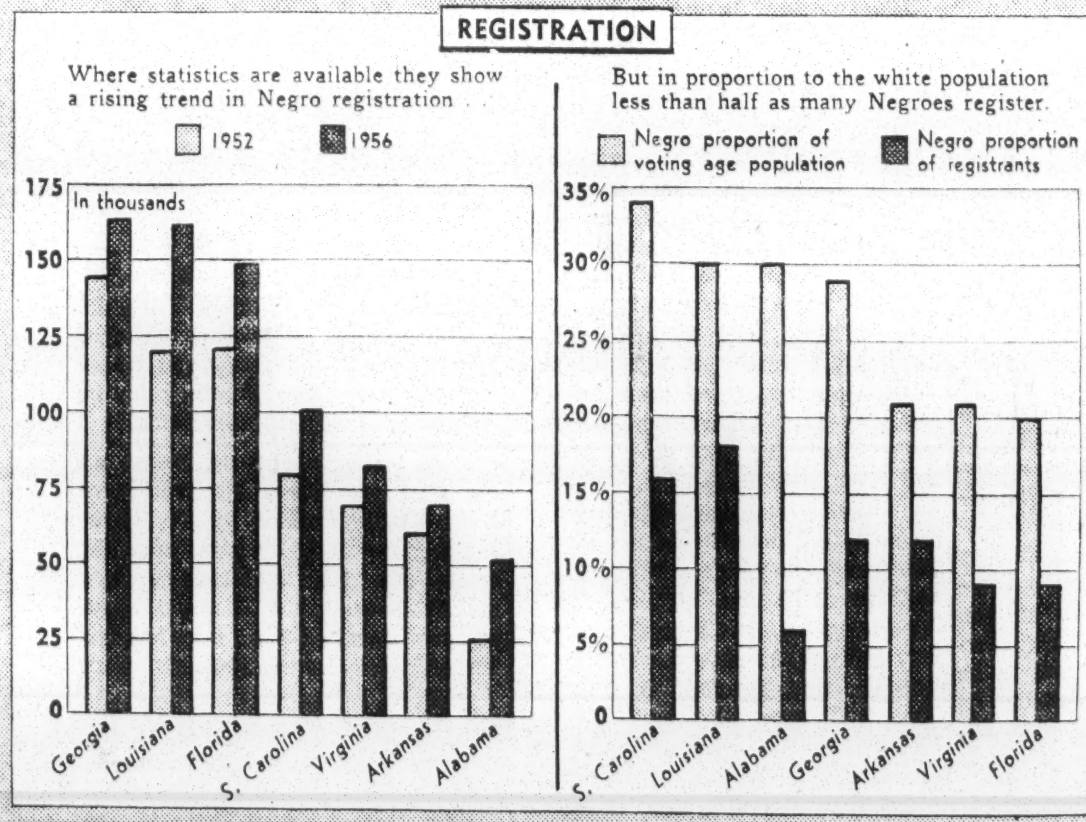
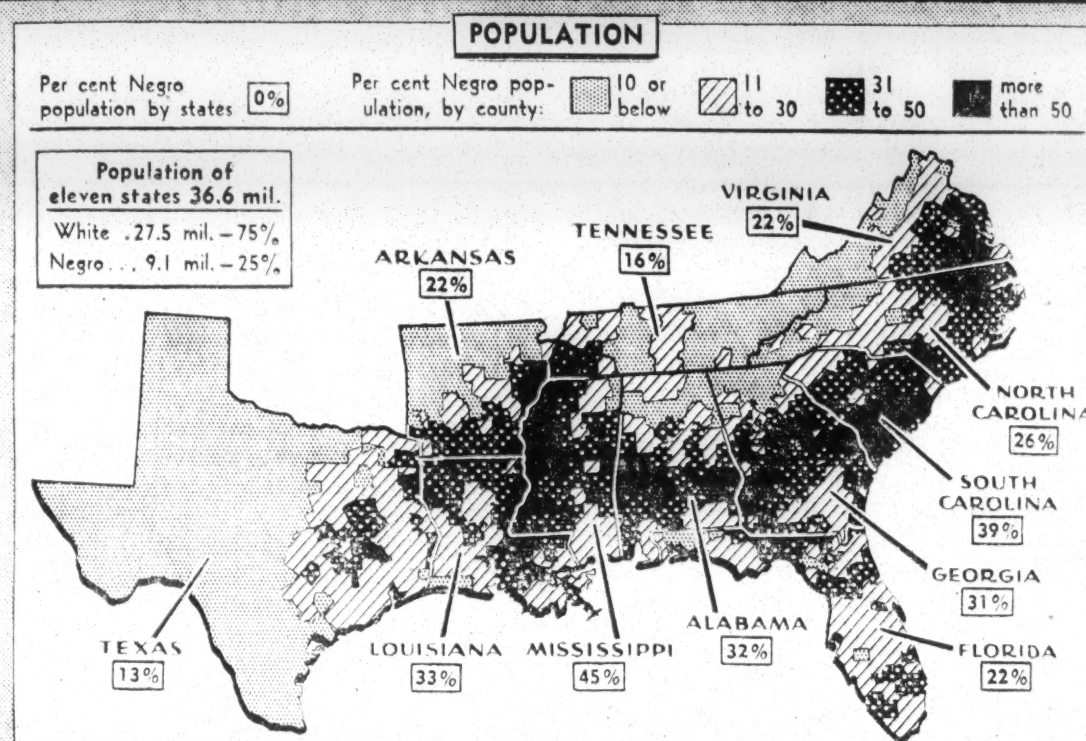
Moreover, it is argued that the integration provisions of the Administration's bill might in sober truth go further in practice and in the setting of precedents than even some of the most faithful and earnest civil rights advocates would wish, and stir political passions of unknowable scope and force.

Possible Goal

There is also the frequent suggestion that the Negroes themselves, and particularly their political leaders, are thoroughly knowledgeable and might in the end give their praise more to those who had fought for and reached the possible than those who had insisted on attempting the impossible, or the next-to-impossible.

This argument rests on the circumstance that to pass a meaningful bill will in the end require the use of a rare and difficult Senate instrument—the process of closure, which cannot

SOUTHERN NEGROES AND THE RIGHT TO VOTE



Basic statistics on Negro registration are derived from a study by the Southern Regional Council. Four states included in the top map are not in the lower charts because no workable statistics were available. Population figures are as of the 1950 census. be applied except with the con-publicans, not all of them alto-in principle would favor this or sent of sixty-four Senators. together identifiable with the old that version of a civil rights

A few authentic DemocraticTaft Republicanism, who lookbill; the essential problem is civil rights advocates, primarilywith worried eyes on the instru-how many Senators would favor from the small states of thement. And the Southerners, ita particular version strongly West, reject closure on principlegoes without saying, would never enough to vote for closure. In the Senate, in short, rightly or wrongly, few even speak of closure except in extremis.

Thus, the outlook: a modified bill, passed by closure if necessary, but a closure realizable only because it is a modified bill.





URGE CONGRESS MOVEMENT — Shortly after his arrival in Chicago Tuesday, Vice President Nixon, at the extreme right, conferred with Dr. J. H. Jackson, to his right, and other leaders regarding the Urge Congress Movement which seeks action on civil rights legislation now. Participating in the conference were: left to right: Louis Martin of the Chicago Defender and Maxwell Rabb, Secretary to the Cabinet. Dr. Jackson, who launched the Urge Congress Movement, is president of the National Baptist Convention, USA, Inc. and pastor of Olivet Baptist Church here.

Leaders Petition Congress For Rights Passage

Daily World Atlanta, Ga.
The special message signed by some 37 leaders of the nation, sent to Senators and Representatives in the Congress bears the persuasive ring and the imports of the Constitution of the United States itself. Timely and fitting, it will be a powerful instrument in this hour in which the President of the United States himself is engaged in a fight for passage of Civil Rights legislation.

Headed by Dr. J. H. Jackson, president of the National Baptist Convention, the document will have certain significance.

The attention is called to the urgent need of every citizen to appear equally at the ballot box of the nation, in order that such an expression from each might enhance the usefulness and free operation of a workable Democracy in a free land.

The paper calls for necessary federal assistance to states, North and South in opening the ballot box to all citizens and keeping it free, sacred and secure. *Times 4-30-57*

Thusly, the leaders would change a system which has held in pawn generations of citizens as aliens to free and equal participation in the affairs of government.

The paper also would ease and destroy grounds for fear.

There is a non-partisan aspect in the appeal, for it cites that "If passed, this program will go to the credit of both major parties, for a Republican administration presented it, but the responsibility for its passage rests with a Democratic control of Congress."

Civil Rights legislation is still one of the top musts on the administration's agenda at Washington. There has been no letup on the part of President Eisenhower in spite of the threatened filibuster and the long hearing in which both sides of the question were aired.

What our country needs most just now is an ease in tension, suspicion and the threat of insecurity from fear and molestation.

Much criticism of the American way of life would be eased and a better grasp at world problems would be enhanced should this legislation be forthcoming.

We are happy to see powerful church leaders and those other public spirited persons interested in the general welfare, come forward with a workable remedy for some of the ills of the times. Such will go a long way in the contribution of a meritorious service to the general cause of freedom.

Veto Looms If Rights Bill Not Changed

Jury Trial Rider Seen Causing
President to Get 'Dander Up'

WASHINGTON, Aug. 4 (UP)—President Eisenhower will veto the Senate's civil rights bill if it reaches his desk in its present form, high administration sources said today.

These sources said there is stirring up a partisan issue than "no doubt" the President will in getting some constructive reject any measure which in action.

O'Mahoney also defended the Senate's approval of the jury trial amendment, which Eisenhower called "bitterly disappointing."

The President's remark prompted immediate speculation about a possible veto.

The Senate completed consideration of amendments to the measure last week and Senate leaders hope to press it to final passage this week.

But Sens. Hubert H. Humphrey (D-Minn.), who opposed the jury trial amendment, and Joseph C. O'Mahoney (D-Wyo.), who sponsored it, said that any Republican move to kill the Senate bill would be a sell-out to partisan politics.

Sen. H. Alexander Smith (R-NJ) said he doubts the president will veto the bill even if the amendment is not modified. He said that when the President "has the measure fully explained to him, he will see that it doesn't necessarily weaken the whole judicial system."

Sen. Kefauver (D-Tenn) observed that it was hard for him to see how Eisenhower, "if he understands this bill, would not feel that it is a great and substantial first step."

Humphrey noted that House Republican leaders have said there can be no compromise on the jury trial amendment and that the legislation is now dead, at least for this session of Congress.

The civil rights bill is not dead," Humphrey said. "It can only be killed if Republicans now

civil rights bill demanded by the President.

The administration has thrown all of the President's influence behind efforts to persuade the House to send the Senate's bill to a joint Senate-House conference committee to try to resolve differences in the two versions.

for 12 days under the care of Dr. J. Willis Hurst, chairman of Emory's department of medicine. On June 24 he was moved to his home here.

In addition to gaining fame in the Foreign Relations Committee, George served as chairman of the

legislation would not comment publicly, it was evident they would not object too strenuously to such a change.

Eisenhower's associates felt the President would be justified in accepting a bill thus altered, on the grounds that it provided some

tax-writing Finance Committee additional voting right enforcement during the World War II and Korean War years of record NEW PROVISION

He was known as a conservative in domestic affairs but recognized as an internationalist in foreign matters.

From the time of his first election President would contend in such a veto that the jury trial provision would "create chaos and utter confusion" in the operation of almost every government regulatory commission.

"Whatever we think about the voting rights provisions of the bill—and they are largely ineffective—this bill must go to conference to iron out the jury trial provision," the official said.

NO COMMITMENTS
Although the official made no commitments, it was evident that if the jury trial provision could be narrowed to apply only to voting rights cases Eisenhower would be likely to accept the measure as representing a small step forward in the field of civil rights.

Such a change in the bill could be made either by House action to send it to conference or by a House vote to amend the measure and send it back to the Senate for action on that single provision.

While Southerners opposing enactment of any civil rights

Senate Rights Bill Version Reported Heading For Veto Solons Plan Early Vote On Controls

WASHINGTON, Aug 4 (AP) — President Eisenhower will veto the Senate's version of the civil rights bill if it is sent to him in its present form, a high administration official said today.

The Senate will vote in the next few days on a bill authorizing the attorney general to seek civil injunctions to enforce minority voting rights.

In the completed form in which it awaits a final Senate vote, the measure requires jury trials in all criminal contempt cases involving not only voting disputes but a wide variety of other government prosecutions as well.

Eisenhower has thrown his administration's weight behind an effort to get the House to reject the Senate's version of the bill and send it to a Senate-House conference. The House previously passed a measure from which the Senate stripped a provision for federal enforcement of civil rights

One new provision would permit federal jurors to be selected without regard to whether they are qualified under state law. This is aimed at permitting Negroes to serve on juries in the South.

The measure also contains authorization for establishment of a six-member commission to investigate civil rights and for the addition of an assistant attorney general to handle such cases in the Justice Department.

Eisenhower could count this as something of a gain in the civil rights field, if he failed to get a stronger bill out of a Senate-House conference.

House Republican Leader Martin of Massachusetts foresaw a probable Senate-House deadlock over the issue which would kill the legislation as far as this session is concerned.

10 1957

ASSISTANT ATTORNEY GENERAL-WILLIAM WILSON WHITE

NEW CIVIL RIGHTS DIVISION
JUSTICE DEPARTMENT

Appoints Attorney General

William White Says He Intends To Play A Very Active Role

WASHINGTON, D. C. — The White House announced Tuesday that President Eisenhower has named William Wilson White as Assistant Attorney General to head the new Civil Rights division of the Justice Department. White, who has been an assistant attorney general in charge of the department's Office of Legal Council, is a "pioneer" in the new field but faces the job with confidence. He moves into the new post after serving in the basic research division of the Justice department. Before that, from 1953, he was U. S. attorney in Philadelphia for the Eastern district of Pennsylvania. The new Civil Rights chief scorns the idea that his new post will be an "ivory tower" operation. Instead, he said, he intends to play a very active part in the operation of the division — including the investigation of any reported violations of election laws. White House information indicated that President Eisenhower named White at this time in order to give the Senate an opportunity to vote on the appointment in January. It had been reported that White would be shifted from his present duties to head the Civil Rights division, without submission of the nomination to the Senate. This drew sharp criticism from some southern Democrats. White was born in Philadelphia 51 years ago and, except for time spent as an undergraduate at Harvard and navy service in World War II, remained in his native city until he came to Washington last March. He received his law degree at the University of Pennsylvania, and in 1933 became a partner in the Philadelphia law firm of White, Williams and Scott.

He was a navy commander in World War II, serving first in the intelligence service, then in command of sub-chasers on the West Coast and finally as executive officer on a naval transport.

He is married to the former Mary L. Sailer of Philadelphia. They have three sons, the oldest of whom is now studying languages at the University of Vienna.

Besides William White Jr., his other sons are Welsh, 17, and Alexander, 9, who are attending Penn Charter school in Philadelphia. Welsh is a senior in high school and Alexander is in the fourth grade.

White avoids questions on his own philosophy about Civil Rights until he is questioned by the Senate Judiciary committee in January. The Senate must confirm his nomination since he has resigned from his post as legal counsel in the Justice department.

*Afro-American
Baltimore, Md.
Sat. 4-13-57
P. 6*



"MY STATEMENT IS TRUE" — This was what Mrs. Beatrice Young of Jackson, Miss, told the AFRC when questioned regarding her recent testimony before the Senate Subcommittee on Constitutional Rights. Mrs. Young is shown with her

husband, James T., and five sons: W. Joe, Jimmy Harold, Gene Cornelius, James Lester and John Clifton Young. She exposed brutal conditions in the Jackson city jail.

Says Deputy Beat Her With A Blackjack



MRS. BEATRICE YOUNG
...tells Senators of brutality

WASHINGTON—Mrs. Beatrice Young of Jackson, Miss., told a Senate subcommittee's hearing on civil rights that a deputy sheriff beat her, although she was pregnant, because she had "hung up the phone in his face."

Mrs. Young testified that the deputy, A. L. Hoskins, phoned her to ask if her niece was at her house. When she told him the girl was not there, he said he would come and look. Mrs. Young informed him he would have to have a search warrant and hung up.

Then Hopkins came to her home, hit her with a blackjack, took her to jail and beat her again, she said. Mrs. Young said her pregnancy subsequently re-

sulted in a miscarriage.

• Another self-described American refugee, Gus Courts of Belzoni, Miss., testified before the hearing.

Mr. Courts said that he, his wife and "thousands of us Mississippians have had to run away. We had to flee in the night. We are the American refugees from the terror in the South, all because we wanted to vote."

MR. COURTS charged that, in Mississippi, only 8,000 Negroes are on the registration rolls although there are "497,000 potential colored voters in Mississippi."

Courts charged that Mississippi whites are killing Negroes, and driving them out of business. He pointed out that, as yet, he did not know who shot him in his Belzoni grocery store.

Courts also told the Senators that he believed the White Citizens Council of Humphrey County was behind the slaying of Rev. G. W. Lee, who had been trying to get Negroes to register.

INQUIRY IS OPENED ON BEATING CHARGE

Hinds Jury Calls Alleged

Victim To Stand

FBI AGENTS TO TESTIFY

By KENNETH TOLER

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., March 6.—The Hinds County Grand Jury Wednesday opened an investigation into charges of a Jackson Negro woman before a congressional subcommittee in Washington last week that she was beaten in the Hinds County Jail here.

The woman, Beatrice Young, mother of five children, was one of those summoned before the Grand Jury. She testified before a Senate subcommittee in support of pending civil rights bills. The woman charged she was beaten by Deputy Sheriff Andy Hopkins and that as a result had a miscarriage. Mr. Hopkins has

denied the accusations.

Sister Questioned

Also questioned by the Grand Jury in its executive hearing was James Etta Jackson, sister of Beatrice Young, who had sworn out an affidavit for Beatrice's arrest for contributing to the delinquency of her 16-year-old daughter.

The daughter, Mildred Magee, who is studying to be a fashion designer, was also called before the Grand Jury.

Dr. W. E. Miller, Negro physician for the woman, also was one of those summoned before the Grand Jury.

Others appearing in the executive hearing included Deputy Hopkins.

Dist. Atty. Robert Nichols said the examinations are confidential, but that the findings will be released when the Grand Jury submits its report.

The Grand Jury opened its inquiry after Circuit Judge Leon Hendrick said no charges of mistreatment of prisoners had been made to him and he felt that the charges made by the woman should be investigated.

Judge Hendrick also suggested that two FBI agents who questioned the woman and other inmates in the Hinds County jail be summoned. Reports were that the agents had agreed to appear without the necessity of a formal subpoena.

Wasn't Informed

Judge Hendrick said he did not know on what authority the FBI agents made the investigation, or upon whose request. He said they did not inform him as presiding judge as to what they ascertained.

"They did not advise me in any way," he said. "If they had asked my permission to interview those in the jail, I would have given it if they had assurance they had reliable information."

Judge Hendrick said his only information was from news stories of the woman's testimony in Washington.

He said since the "stories and rumors and the secret investigation of the FBI had reflected on the name of the county and its officers that the Grand Jury make the investigation."

"The investigation should be made in order to substantiate or refute these rumors," he said.

HINDS STUDY URGED ON BEATING REPORT

Judge Asks Jury To Call In

FBI Investigators

MARKED BY NEGRO'S STORY

By The Associated Press

JACKSON, Miss., March 4.—

Circuit Judge Leon Hendricks

Monday asked the grand jury to

subpena two FBI agents to learn

if they found evidence of mis-

treatment at the Hinds County

Jail here where a Jackson Negro

woman told a United States

Senate Subcommittee she was

beaten.

Obviously perturbed by the

testimony in Washington by

Beatrice Young, a witness be-

fore a Senate committee study-

ing civil rights legislation, the

judge told the jury:

"Not one single complaint by

anyone or on behalf of any one

has ever been made to me that

a prisoner of this county has

ever been mistreated."

Negro Claims Mistreatment

Beatrice told the senators she was pregnant and the beating resulted in her having a miscarriage. She testified she was brought to the jail on accusation of harboring a 16-year-old daughter of her sister.

In his instructions to the grand jury, which he released to the press, Judge Hendrick said he was advised two FBI agents from New Orleans "have investigated these rumors by going into the Hinds County Jail and taking statements of certain inmates."

Not Advised Of Facts

"Upon whose authority or upon whose request or upon whose complaint or what facts, if any were found—I do not know. They did not advise with me in any way, although they interviewed Hinds County prisoners."

He said rumors of mistreatment at the jail "and the secret investigation of the FBI have reflected on the good name of our county and some of our of-

ficers."

He ordered the jury to investigate to "substantiate or refute these rumors" and said "I suggest you request these FBI agents to appear before you and bring with them any sworn statements or other data obtained by them as a result of their investigation."

jack and came in. I asked him why he hit me but he didn't answer.

"I asked him again and he hit me in the mouth and told me to hush and that I was under arrest."

"I told him I had not done anything and if I was under ar-

'Stop un-Godly acts,' Miss. mother pleads

rest, to take me to jail and stop cursing me."

"Gentlemen, I beg of you to do something to stop these un-godly acts."

A mother from Jackson, Miss., pleaded with members of Congress to take action against repetition of beatings of colored citizens in the South such as the one she said she suffered at the hands of a white deputy.

The beating, Mrs. Beatrice Young stated, resulted in the loss of her unborn child.

MRS. YOUNG told this to the Senate Subcommittee on Constitutional Rights Thursday. The hearings were held in connection with proposed civil rights legislation now pending before the Senate Judiciary Committee.

She was one of several witnesses who told stories of intimidation, murder and denial of civil rights in the South.

In her testimony, Mrs. Young said Deputy Sheriff Andy Hopkins telephoned her home on Nov. 25 and asked her if Mildred McGee, her sister's child, was at her residence.

ALTHOUGH SHE denied the child was there, Hopkins subsequently came to her home to search the house, Mrs. Young related.

"I asked him, 'do you have a search warrant,'" Mrs. Young declared.

"He said, 'yes, open the door and I will give it to you.'"

"I opened the door and he hit me in the head with his black-

ON THEIR way to the jail Deputy Hopkins questioned her, and upon learning that her husband was employed by the government, Hopkins retorted, according to Mrs. Young:

"Colored people working for the government are always smart and this time it's his d— wife."

He cursed her and upon arrival at the jail, insisted upon escorting her alone inside although they had been accompanied by another man.

UPSTAIRS, Hopkins asked Mrs. Young her name and age, then reopened the issue of the search warrant. She told the Committee he asserted:

"I can give you 30 search warrants."

Hopkins cursed and struck her, Mrs. Young stated, although she pleaded with him to stop. During a lull in the beating, she told him she had had an operation on her head.

THE JAILOR, whom Mrs. Young identified as a "Mr. Boteler," asked her to show him where she'd had the operation, according to the witness.

"I went to show him and he hit me on the head. I told him I was two month's pregnant. Boteler felt my waist and asked me what I had on. I said a girdle. Deputy Hopkins said, 'I thought you had a little boy at home.' I told him I did."

"He asked me how old he was. I said, 'fifteen months.' He said, 'and you're pregnant

"I understand you stay that way."



Tell Of Terror In Mississippi

MISSISSIPPIANS testifying before Senate Subcommittee on Constitutional Rights in Washington tell of violence and denial of civil rights in their state. Left to right, Clarence Mitchell, director of NAACP Washington Bureau; Rev. W. D. Ridgeway, Hattiesburg; Mrs. Beatrice

Young, Jackson; and Gus Courts, formerly of Belzoni. The witnesses told of police brutality, violence and denial of the right to vote in Mississippi.